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Canada Collection  
Quebec



# ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONORABLE SIR LOUIS AMABLE JETTE, K.C.M.G.,

LIEUTENANT-GOVERNOR



QUEBEC

PRINTED BY CHARLES PAGEAU

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

ANNO DOMINI 1908

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# ORDERS IN COUNCIL



## EXECUTIVE COUNCIL CHAMBERS

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QUEBEC, 28th March, 1907.

PRESENT : The LIEUTENANT-GOVERNOR in Council

Whereas by order in council, bearing date the 19th day of July, 1894, the following regulation was approved under the authority of the Act, 57 Victoria, chapter 30 ;

“ 31. The act 57 Victoria, chapter 30, respecting the inspection of boilers and steam pipes and motors does not apply to butter and cheese factories in the Province; ”

Whereas the official inspectors of industrial establishments have frequently pointed out to the Government the danger to life resulting from so sweeping an exemption, and it is desirable from every point of view that the common law should be applied universally to all industrial establishments in the Province ;

It is ordered that No. 31 of the regulations approved by His Honor the Lieutenant-Governor in Council, on the 19th day of July, 1894, be rescinded and replaced by the following :

“ 31. The inspection of steam boilers and steam pipes and motors, in butter factories and cheese factories, shall be obligatory every two years only, and the cost of such inspection shall not exceed two dollars and fifty cents for each establishment.”

GUSTAVE GRENIER,

*Clerk of Executive Council.*

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EXECUTIVE COUNCIL CHAMBERS

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QUEBEC, 5th April, 1907.

PRESENT : The LIEUTENANT-GOVERNOR in Council

It is ordered that the issue of permits to cut lumber for fuel or building purposes, in territories under timber license in virtue of article 1343b of the Revised Statutes and its amendments, shall be subject to the following conditions.

1. Every application for a permit shall be transmitted before the first day of September of each year, and the permits to be issued, shall not issue until after the first day of December then next.

2. Every application shall be accompanied with a sum of money equivalent to double duty on the quantity of lumber that the applicant desires to cut.

GUSTAVE GRENIER,

*Clerk of Executive Council.*

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EXECUTIVE COUNCIL CHAMBERS

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QUEBEC, 19th June, 1907.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

It is ordered that the following tariff, approved by order in council of the 18th of May, 1903, be approved anew in virtue of article 17 of the statute 7 Ed. VII, chapter 48, intituled : " Act respecting the incorporation of joint stock companies by letters patent."

GUSTAVE GRENIER,

*Clerk of the Executive Council.*

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## TARIFF

Of fees for incorporation of joint stock companies by letters patent, and for erecting, by letters patent, city and town municipalities, under 3 Edward VII, chapter 38, as approved by Order in Council of the 18th of May, 1903.

No. 17.—On letters patent incorporating joint stock companies, when the capital is \$20,000, and less than \$20,000 the fee shall be \$40.00.

No. 18.—When the capital is more than \$20,000, and less than \$50,000, the fee shall be \$130.00.

No. 19.—When the capital is \$50,000 or more, and less than \$100,000 the fee shall be \$180.00.

No. 20.—When the capital is \$100,000 or more, and less than \$150,000 the fee shall be \$200.00.

No. 21.—When the capital is \$150,000 or more, and less than \$200,000, the fee shall be \$225.00.

No. 21-a.—When the capital is \$200,000 or more, and less than \$300,000 the fee shall be \$275.00.

No. 21-b.—When the capital is \$300,000 or more, and less than \$400,000 the fee shall be \$300.00.

No. 21-c.—When the capital is \$400,000 or more, and less than \$500,000 the fee shall be \$325.00.

No. 21-d.—When the capital is \$500,000 or more, and less than \$600,000, the fee shall be \$350.00.

No. 21-e.—When the capital is \$600,000 or more, and less than \$700,000, the fee shall be \$375.00.

No. 21-f.—When the capital is \$700,000 or more, and less than \$800,000, the fee shall be \$400.00.

No. 21-g.—When the capital is \$800,000 or more, and less than \$900,000, the fee shall be \$425.00.

No. 21-h.—When the capital is \$900,000 or more, and less than \$1,000,000, the fee shall be \$450.00.

No. 21-i.—When the capital is \$1,000,000, the fee shall be \$500.00.

No. 21-j.—For every million dollars of additional capital, or fraction thereof, the fee shall be \$100.00.

No. 21-k.—When application is made to increase the capital, the fee shall be calculated on the actual amount of the increase in question, and the fee payable shall be the same as that payable on letters patent for the incorporation of a company whose capital is of the same amount as the said increase.

No. 21-l.—On application for supplementary letters patent, other than those for the increase of capital, the fee shall be 50% of the amount required as the fee for the incorporation.

For incorporating, by letters patent, city or town municipalities, in virtue of the statute 3 Edward VII, chapter 38.

No. 21-m.—On letters patent incorporating town municipalities, \$150.00.

No. 21-n.—City municipalities, \$250.00.

With moreover, in both cases, the cost of publishing the notices and letters patent in the *Quebec Official Gazette*.

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## EXECUTIVE COUNCIL CHAMBERS

QUEBEC, 26th November, 1907

PRESENT : The LIEUTENANT-GOVERNOR in Council

It is ORDERED that order in council No. 12, of the 7th day of January last, be amended, as regards the classification of minerals into superior and inferior minerals, by adding to the latter, mineral waters.

It is further ordered that in the case of mineral water concessions, the lands sold may be less than 100 acres in superficies, according to circumstances.

GUSTAVE GRENIER,

*Clerk of Executive Council*

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## EXECUTIVE COUNCIL CHAMBERS

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QUEBEC, 26th November, 1907.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

Whereas in virtue of articles 1375 and 1415 of the Revised Statutes, now in force in this Province, persons not domiciled therein are required to take out a special hunting or fishing license ;

Whereas to facilitate the distribution of such licenses, the Department places in the hands of secretaries of clubs or other persons, whether having or not having leases conferring hunting or fishing rights, a certain number of such licenses to be sold to strangers to whom the above mentioned articles apply ;

Whereas in the past the depositaries of such fish and game licenses reported to the Department as to the number of permits sold by them, and the amount of the moneys collected ;

Whereas experience has proved that the reports transmitted by such depositaries, ought to be made under oath ;

Whereas in virtue of articles 1394l and 1420a of the Revised Statutes, it is lawful for the Lieutenant-Governor in Council to make all regulations necessary to carry out the provisions of these laws.

IT IS ORDERED that it be enacted as follows :

" Hereafter every person or club which shall have received from the Department, hunting or fishing licenses, to be sold to persons not domiciled in the Province, who come therein to hunt or fish, shall make a sworn report to the Minister of Colonisation, Mines and Fisheries, within the month next following the close of the hunting or fishing season, as the case may be, of the number of licenses sold and the amount collected, the whole according to a form to be prepared and supplied by the Minister."

GUSTAVE GRENIER,

*Clerk of Executive Council.*



**STATUTES**  
**OF THE**  
**PROVINCE OF QUEBEC**

PASSED IN THE

**EIGHTH YEAR OF THE REIGN OF HIS MAJESTY**

**KING EDWARD VII**

AND IN THE

**FOURTH SESSION OF THE ELEVENTH LEGISLATURE**

**BEGUN AND HOLDEN AT QUEBEC THE THIRD DAY OF MARCH, AND CLOSED BY PROROGATION  
THE TWENTY FIFTH DAY OF APRIL, IN THE YEAR OF OUR LORD  
ONE THOUSAND NINE HUNDRED AND EIGHT**



**THE HONORABLE SIR LOUIS-AMABLE JETTÉ, K.C.M.G.**

**LIEUTENANT-GOVERNOR**

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**QUEBEC**  
**PRINTED BY CHARLES PAGEAU**  
**PRINTER TO THE KING'S MOST EXCELLENT MAJESTY**

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**ANNO DOMINI 1908**







## 8 EDWARD VII

### CHAP. 1

An Act granting to His Majesty the moneys required for the expenses of the Government for the financial year ending on the 30th June, 1909, and for other purposes connected with the public service.

[Assented to 25th April 1908]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it appears, by messages from the Honourable Preamble.

Sir Louis Amable Jetté, K.C.M.G., Lieutenant-Governor of this Province, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the Government of the Province, not otherwise provided for, for the financial year ending on the 30th June, 1909, and for other purposes connected with the public service; May it therefore, please Your Majesty that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, that :

1. From and out of the consolidated revenue fund of this Province, a sum, not exceeding in the whole two millions, nine hundred and thirty-six thousand, and nineteen dollars and sixty-six cents, may be taken for defraying, during the financial year ending on the 30th June, 1909, the charges and expenses of the Government and public service of the Province, as set forth in the Schedule annexed to this act.

*Annotations:* \$2,936,019.66 may be taken for year ending 30th June 1908, for purposes mentioned in schedule.

Payments  
subject to  
certain ad-  
justments,  
&c.

**2.** Every payment or application of moneys, appropriated by this act, shall be held to be made provisionally, and subject to all adjustment in account hereafter, in respect of the Dominion and of the Province of Ontario, and of special funds which this act may in any manner affect.

Accounts  
rendered to  
both houses.

**3.** Accounts, in detail, of all moneys expended under the authority of this act, shall be laid before both Houses of the Legislature of the Province, at the next session thereof.

Accounting  
to His  
Majesty.

**4.** The application of all sums expended under the authority of this act shall also be accounted for to His Majesty.

Coming into  
force.

**5.** This act shall come into force on the day of its sanction.

## SCHEDULE

Sums granted to His Majesty, by this act, for the financial year ending on the 30th June, 1909, with indication of the purposes for which they are granted

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	<b>I.—PUBLIC DEBT</b>			
1	Charges of management.....			12,256 11
	<b>II.—LEGISLATION</b>			
	<i>Legislative Council</i>			
2	Speaker's salary.....	1,000 00		
3	Salaries, contingent expenses, &c.....	13,811 50	14,811 50	
	<i>Legislative Assembly</i>			
4	Speaker's salary.....	1,000 00		
5	Salaries, contingent expenses, &c.....	70,957 40	71,957 40	
6	Printing and binding for both Houses of the Legislature. R. S. Q., art. 158.....		35,500 00	
	<i>Library of the Legislature</i>			
7	Purchase of books.....	2,000 00		
8	Salaries, contingent expenses, &c.....	7,400 00	9,400 00	
	<i>Elections</i>			
9	Contingent expenses of elections.....	1,000 00		
10	Clerk of the Crown in Chancery : salary..	400 00	1,400 00	
	<i>King's Printer</i>			
11	Printing, binding and distributing the laws.....		6,000 00	139,068 90
	Carried over.....			151,325 01

SCHEDULE.—*Continued*

No.	SERVICE	\$ cts	\$ cts	Total
	Brought forward.....			151,325 01
	III.—CIVIL GOVERNMENT			
12	Salaries.....		4,250 00	
13	Contingencies.....		76,650 00	80,900 00
	IV.—ADMINISTRATION OF JUSTICE, &c.			
14	Administration of Justice.....		411,685 00	
	Police.			
15	Judges of the Sessions of the Peace, Quebec; ditto, Montreal. Their salaries, as judges and license commissioners, those of their officers and contingencies of office, including salaries of high constable and his assistant, &c., Montreal.....		22,690 00	
16	Inspection of Public Offices.....		10,500 00	444,875 00
	V.—PROVINCIAL SECRETARY			
	PUBLIC INSTRUCTION, &c.—			
	(Through the Department of Public Instruction)			
	Superior Education :			
17	For distribution among Roman Catholic Institutions under article 444 of the Education Act.....	43,532 80		
18	Polytechnic School, Montreal, under 57 Vict., c. 23, s. 17, as amended by 3 Ed. VII, c. 17, s. 4, and by 7 Ed. VII, c. 28, s. 1. The supplementary vote of \$3,000 attributed to the institution, last session, is included in this vote.....	16,000 00		
	Carried over.....	59,532 80		677,100 01

SCHEDULE.—*Continued*

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....	59,532 80	.....	677,100.01
	V.—PROVINCIAL SECRETARY.— <i>Continued</i>			
	PUBLIC INSTRUCTION, &c.— <i>Continued</i>			
	(Through the Department of Public Instruction)— <i>Continued</i>			
	<i>Superior Education.</i> — <i>Continued</i>			
19	Laval University, Quebec, in compensation for terminating the lease of the Normal School.....	4,000 00		
20	Law Faculty of Laval University, Montreal.....	2,000 00		
21	Montreal School of Medicine and Surgery.	2,000 00		
22	For distribution among Roman Catholic Institutions under article 444 of the Education Act.....	940 00		
23	Laval University, Montreal.....	4,000 00		
24	For distribution among Protestant Institutions under article 444 of the Education Act.....	9,287 20		
25	High Schools Quebec and Montreal....	2,470 00		
26	Towards salary of an Inspector of Protestant Superior Schools.....	700 00		
27	Polytechnic School, Montreal, supplementary grant.....	2,000 00		
28	McGill University, Montreal.....	3,000 00		
29	Bishop's College, Lennoxville.....	1,200 00		
	Carried over.....	91,130 00	.....	677,100 01

SCHEDULE.—*Continued*

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....	91,130 00	.....	677,100 01
	V.—PROVINCIAL SECRETARY.— <i>Continued</i>			
	PUBLIC INSTRUCTION, &c.— <i>Continued</i>			
	(Through the Department of Public Instruction)— <i>Continued</i>			
	Public Schools, &c. :			
30	Public Schools.....	160,000 00		
31	To be distributed amongst public schools not in cities or towns according to the provisions of articles 436 and 437 of the Education Act, provided the municipalities concerned, pay their teachers a salary of one hundred dollars at least, such sum not to be subject to the provisions of paragraph 2 of article 513 of said act.....	50,000 00		
32	Schools in poor municipalities.....	\$13,000.00		
	Transferred from Protestant Superior Education for Protestant poor Schools..... 1,000 00	14,000 00		
33	Normal Schools.....	69,500 00		
34	Inspection of Schools.....	44,500 00		
35	Superannuated Teachers.....	8,000 00		
36	Books for prizes, and school requisites..	2,000 00		
37	Schools for the deaf and dumb.....	12,000 00		
9	School for the deaf and dumb, Mile End, Montreal.....	500 00		
39	School for deaf and dumb girls, Sisters of Providence, Montreal.....	500 00		
40	Council of Public Instruction.....	2,500 00		
41	Supplementary aid to the Protestant Committee of the Council of Public Instruction.....	1,500 00		
	Carried over.....	456,130 00	.....	677,100 01



## SCHEDULE.—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....	456,130 00	.....	677,100 01
	V—PROVINCIAL SECRETARY.—Continued			
	PUBLIC INSTRUCTION, &c.—Continued			
	(Through the Department of Public Instruction.—Continued			
	Public Schools, &c.—Continued			
42	Towards the publication of a French Journal and of an English Journal on Public Instruction, upon the conditions and in the manner determined by the Provincial Secretary.....	7,550 00		
43	Scholastic Museum.....	600 00		
44	Teachers' Pension Fund in lieu of stoppages on Superior Education grant under article 513 of the Education Act, as amended by the act 6 Ed. VII, c. 28, s. 8.	2,000 00		
45	Transferred from Roman Catholic Superior Education to be employed by the Provincial Secretary for the purchase of books, written and printed in this Province, to be distributed as prizes in Superior Schools.....	3,140 00		
46	In lieu of five per cent formerly taken from Roman Catholic Superior Education for Roman Catholic Deaf-Mutes and Blind.			
	To be distributed in such proportion as the Lieutenant-Governor in Council may be pleased to determine among the Roman Catholic Institutions for Deaf-Mutes and the Blind in the Province.....	3,140 00		
47	In lieu of five per cent formerly deducted from Roman Catholic share of public school vote.....			
	To be distributed in such proportion as the Lieutenant-Governor in Council may be pleased to determine among the Roman Catholic Institutions for Deaf-Mutes and the Blind in the Province.....	7,000 00		
	Carried over.....	479,560 00	.....	677,100 01

SCHEDULE.—*Continued*

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	479,560 00		677,100 01
	V.—PROVINCIAL SECRETARY.— <i>Continued</i>			
	PUBLIC INSTRUCTION, &c.— <i>Continued</i> .			
	(Through the Department of Public Instruction.— <i>Continued</i>			
	<i>Public Schools, &amp;c.—Continued</i>			
48	Transferred from Protestant Superior Education for the Provincial Association of Protestant Teachers.....	200 00		
49	Superintendent's Report.....	900 00		
50	Gratuities to Teachers.....	1,000 00		
51	Night Schools.....	12,000 00	493,660 00	
	<i>Miscellaneous.</i>			
52	" Monument National," Montreal, under the control of " L'Association St-Jean Baptiste de Montréal ; " payment subject to an order in council and to conditions of the order in council No. 187, of the 29th May, 1896.....		2,500 00	
	Literary and Scientific Institutions :			
53	School of Navigation, Quebec.....	1,000 00		
54	Canadian Archives ; towards binding, renewal of.....	200 00	1,200 00	
	<i>Arts and Manufactures :</i>			
55	Council of Arts and Manufactures, including the teaching of fine Arts applied to industry.....		16,000 00	513,360 00
	Carried forward.....			1,190,460 01

## SCHEDULE.—Continued

No.	SERVICE	—		Total
		\$	cts.	\$ cts.
	Brought forward.....			1,190,460 01
	Miscellaneous—Under control of the Provincial Secretary:			
	VI.—LUNATIC ASYLUMS			
56	Lunatic Asylums, including transfer of patients from gaols to asylums and other incidental expenses.....			420,000 00
	VII.—REFORMATORY AND INDUSTRIAL SCHOOLS			
57	Reformatory and Industrial Schools, including incidental expenses.....			65,000 00
	VIII.—HEALTH			
58	Board of Health of the Province of Quebec, 1 Ed. VII, cap. 19.....		20,000 00	
59	Towards procuring vaccine (including \$500 for inspection).....		2,500 00	22,500 00
	IX.—PUBLIC WORKS AND LABOUR			
	Public Works			
	(Ordinary)			
60	Maintenance, etc., of Public Buildings generally.....	87,954 00		
61	Insurance of Public Buildings generally..	727 00		
62	Water rates on Public Buildings generally, Quebec City.....	7,594 00		
63	Inspections, explorations, etc.....	3,500 00		
64	Inspection of Railways.....	1,000 00		
			100,775 00	
	Carried forward.....		100,775 00	1,697,960 01

## SCHEDULE.—Continued

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....		100,775 00	1,697,960 01
	IX.—PUBLIC WORKS AND LABOUR.— Continued.			
	Public Works—Continued.			
	(Ordinary)—Continued			
	(Chargeable to Building and Jury Fund)			
65	Repairs of Court Houses and Gaols, etc.	39,800 00		
66	Rents of Court Houses and Gaols, etc...	426 76		
	(Extraordinary)		40,226 76	
67	Legislative and Department Buildings : completion of attics, candelabra for fountain, etc.....	8,000 00		
68	Elevators in Parliament Buildings, con- struction.....	5,000 00		
69	Construction of vaults : Quebec and rural districts.....	15,000 00		
70	Jacques-Cartier Normal School.....	20,000 00		
71	Iron Bridge.....	50,000 00	98,000 00	
	Labour :			
72	" Public Buildings," and " Industrial Establishments Act " (57 Vic., chaps. 29 and 30).....	14,000 00		
73	Clerk of Councils of Conciliation and Ar- bitration under 1 Ed. VII, chap. 31.— " The Quebec Trade Disputes Act " . —Salary.....	600 00	14,600 00	
	Miscellaneous :			
74	Collection of apparatus for preventing accidents.....		1,000 00	254,601 76
	Carried forward.....			1,952,561.77

## SCHEDULE.—Continued

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	. \$ ct s.
	Brought forward.....			1,952,561 77
	X.—AGRICULTURE			
75	Farmers' Clubs, encouragement of agriculture in general, including \$13,350.00, for the South Shore Railway Coy., (for the construction of bridges over the St. Francis and Yamaska Rivers, being the balance of the 1st, and the 2nd, out of 10 equal payments) under 63 Vic., cap. 2, and for \$2,500.00 for the Montfort Colonization road being the 11th out of 12 equal payments, under 60 Vic., cap. 4. ....		76,450 00	
76	Horticultural Society, Quebec.....		500 00	
77	Council of Agriculture.....		3,000 00	
78	Agricultural Schools.....		17,500 00	
79	Veterinary Schools.....		4,500 00	
80	Dairymen's Association of the Province of Quebec, R. S. Q., Art. 1749, etc., and O. C. No. 75 of 24th January, 1891....		2,000 00	
81	Working of the new Dairy School of St. Hyacinthe.....		5,500 00	
82	Grants to butter and cheese Syndicates, and inspection of same. R. S. Q., Art. 1753a and 1753c (54 Vic., Cap. 20, and 63 Vic., Cap. 16).....		28,000 00	
83	Towards the encouragement of the Dairy Industry, the teaching of the manufacture of the new varieties of cheese and the dairy products competition. Inspectors of butter and cheese factories in the Province, etc., etc.....		15,000 00	
84	Encouragement of the cultivation of fruit trees. (Horticulture).....		5,000 00	
85	Official Laboratory of the Province of Quebec.....		2,000 00	
86	Lectures on agriculture.....		4,500 00	
87	Poultry Associations.....		600 00	
	Carried forward.....		164,550 00	1,952,561 77

## SCHEDULE.—Continued

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....		164,550 00	1,952,561 77
	X.—AGRICULTURE.—Continued			
88	Provincial Agriculture Merit.....		3,500 00	
89	Arbor Day.....		100 00	
90	Improvement of Rural Roads.....		50,000 00	
91	Exhibitions.....		8,000 00	226,150 00
	XI.—LANDS AND FORESTS			
92	General expenditure.....		99,300 00	
93	Suspense account.....		10,000 00	
94	Protection of Forests.....		13,500 00	
95	Publication of sectional maps and pamphlets.....		1,000 00	
96	The Laurentides National Park, 58 Vic., cap. 22, sec. 23.....		2,000 00	
97	Surveys.....		75,000 00	
98	Inspection and classification of lands.....		15,000 00	
99	Berthierville Nursery : maintenance.....		2,500 00	218,300 00
	XII.—COLONIZATION, MINES AND FISHERIES			
	Colonization :			
100	Colonization Roads.....	175,000 00		
101	Colonization Societies generally.....	4,000 00		
102	Immigration : Quebec and Montreal Offices.....	8,000 00		
103	Women's National Immigration Society, Montreal.....	500 00		
	Carried forward.....	187,500 00		2,397,011 77



SCHEDULE.—*Continued*

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	187,500 00		2,397,011 77
	<b>XII.—COLONIZATION, MINES AND FISHERIES.—<i>Continued</i></b>			
	<i>Colonisation—Continued</i>			
104	Women's Protective Immigration Society Quebec.....	250 00		
105	Publication of Maps.....	2,000 00		
			189,750 00	
	<i>Mines and Fisheries :</i>			
106	Mines.....	6,000 00		
107	Fisheries and Game.....	30,000 00		
108	Suspense account.....	10,000 00		
109	Registration service (Cadastre).....	12,000 00		
			58,000 00	247,750 00
	<b>XIII.—CHARITABLE INSTITUTIONS</b>			
	<i>Miscellaneous :</i>			
110	Corporation of General Hospital, Montreal.....		5,000 00	
111	Indigent sick, do .....		2,240 00	
112	St. Patrick's Hospital, do .....		1,120 00	
113	<i>Sœurs de la Providence</i> , do .....		588 00	
114	Saint Vincent de Paul Asylum, do .....		315 00	
115	Protestant House of Industry and Refuge, do .....		420 00	
116	St. Patrick's Orphan Asylum, do .....		336 00	
117	The Montreal Maternity, do .....		500 00	
118	Magdalen Asylum ( <i>Bon Pasteur</i> ), do .....		378 00	
	Carried forward.....		10,897 00	2,644,761 77

## SCHEDULE.—Continued

No.	SERVICE	—		Total
		\$	cts	\$ cts
	Brought forward.....		10,897 00	2,644,761 77
	XIII.—CHARITIES.—Continued			
	Miscellaneous—Continued			
119	Roman Catholic Orphan Asylum, Montreal.....		168 00	
120	<i>Sœurs de la Charité</i> , do .....		560 00	
121	<i>Sœurs de la Charité</i> , for their foundling hospital, do .....		105 00	
122	Protestant Orphan Asylum, do .....		336 00	
123	Lying-in-Hospital, care <i>Sœurs de la Miséricorde</i> , do .....		383 25	
124	Bonaventure Street Asylum, (St. Jacques), do .....		225 75	
125	Nazareth Asylum for destitute children, do .....		210 00	
126	School for the Blind, Nazareth Asylum, do .....		1,590 00	
127	Workroom for the Blind, Nazareth Asylum, do .....		300 00	
128	Montreal Dispensary, do .....		375 00	
129	Montreal Ladies' Benevolent Society, do .....		637 50	
130	St. Bridget's Asylum, do .....		420 00	
131	Protestant Infants' Home, do .....		210 00	
132	Church Home, do .....		135 00	
133	<i>Hospice de Bethléhem</i> , do .....		262 50	
134	<i>Hôpital Notre-Dame</i> , do .....		5,000 00	
135	<i>Hôtel-Dieu</i> , do .....		1,050 00	
136	Ladies' Hebrew Benevolent Society, do .....		187 50	
137	<i>Sœurs de la Miséricorde</i> , towards keeping foundlings, do .....		750 00	
	Carried over.....		23,802 50	2,644,761 77

## SCHEDULE.—Continued.

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....		23,802 50	2,644,761 77
	XIII—CHARITIES—Continued			
	Miscellaneous—Continued			
138	<i>Sœurs de la Providence</i> , corner of St. Catherine and Fullum streets, Montreal.....		150 00	
139	Baron de Hirsch Institute and Hebrew Benevolent Society of Montreal, (formerly called Young Men's Hebrew Benevolent Society). do .....		300 00	
140	Sheltering Home, do .....		150 00	
141	McKay Institute, do .....		3,000 00	
142	The Montreal Foundling and Sick Baby Hospital, do .....		387 50	
143	<i>Hospice de St-Joseph du Bon-Pasteur</i> , do .....		105 00	
144	<i>Petites Sœurs des Pauvres</i> , do .....		70 00	
145	Home for Incurables, do .....		200 00	
146	The Women's Hospital, do .....		262 50	
147	The Western General Hospital, do .....		250 00	
148	Hervey Institute, do .....		168 00	
149	Montreal Homeopathic Association, do .....		100 00	
150	House of Refuge, Sainte Cunégonde, do .....		300 00	
151	<i>Hôpital des Incurables</i> do .....		500 00	
152	Charitable Ladies Association of the Roman Catholic Orphan Asylum and Nazareth Asylum, Quebec.....		798 00	
153	Indigent Sick, do .....		2,240 00	
154	Asylum of the Good Shepherd, do .....		750 00	
155	Ladies Protestant Home, do .....		393 75	
	Carried over.....		33,927 25	2,644,761 77

## SCHEDULE.—Continued

No.	SERVICE	—		Total	
		\$	cts	\$	cts
	Brought forward.....			33,927 25	2,644,761 77
	XIII.—CHARITIES—Continued				
	Miscellaneous—Continued				
156	Male Orphan Asylum, Quebec.....		220 50		
157	Finlay Asylum, do .....		220 50		
158	Protestant Female Orphan Asylum, do .....		220 50		
159	Saint Bridget's Asylum, do .....		525 00		
160	Dispensary, do .....		105 00		
161	Sisters of Charity, do .....		135 00		
162	do Orphan Asylum, do .....		250 00		
163	do Hospital for widows and infirm persons, do .....		210 00		
164	L'Hôtel-Dieu du Sacré-Cœur de Jésus, do .....		880 00		
165	L'Hôtel-Dieu Dispensary, do .....		105 00		
166	L'Hôtel-Dieu for Foundlings, do .....		305 00		
167	L'Hôtel-Dieu for Epileptics, do .....		187 50		
168	Women's Christian Association, do .....		105 00		
169	Lying in-Hospital, care of the Ladies of the Good Shepherd do .....		1,500 00		
170	General Hospital, do .....		750 00		
171	L'Oeuvre du Patronage, do .....		375 00		
172	L'Oeuvre de la Crèche, do .....		200 00		
173	Hôpital des Sœurs de la Charité de la Providence, for their indigent sick, orphans, etc., Three-Rivers.....		1,600 00		
174	Hôpital des Sœurs de la Charité de la Providence, for their lying in hospital. do .....		280 00		
	Carried over.....		42,101 25		2,644,761 77

## SCHEDULE.—Continued

No.	SERVICE	Total	—	—
		\$ cts	\$ cts	\$ cts
	Brought forward.....		42,101 25	2,644,761 77
	<b>XIII—CHARITIES—Continued</b>			
	<i>Miscellaneous—Continued</i>			
175	General Hospital, Sorel.....		490 00	
176	St. Hyacinthe Hospital, St. Hyacinthe.....		350 00	
177	Hôtel-Dieu, Nicolet.....		200 00	
178	Sœurs de la Charité, Rimouski.....		262 50	
179	Hôpital du Sacré-Cœur, Sherbrooke.....		450 00	
180	Protestant Hospital, do.....		300 00	
181	Distributing Home, Knowlton.....		140 00	
182	Hospice St-Joseph de la Délivrance, Levis.....		210 00	
183	Hôtel-Dieu, do.....		200 00	
184	Hôtel-Dieu St-Valier, Chicoutimi.....		300 00	
185	Hôtel-Dieu de St-Joseph, Arthabaska.....		187 50	
186	Hospice Ste-Anne de la Baie St-Paul, for old and infirm persons and for idiots, Baie St-Paul.....		375 00	
187	Hospice des Sœurs de la Charité, Montmagny.....		200 00	
188	Fraserville Hospital, Fraserville.....		400 00	
189	Hospital for orphans and for the aged and the sick, Valleyfield.....		300 00	
190	Hospice St-André Avein, county of Ottawa.....		200 00	
191	St. Jérôme Hospital, St. Jérôme.....		250 00	
192	Hospice St-Antoine, for orphans, infirm and sick, Longueuil.....		300 00	
	Carried forward.....		47,216 25	2,644,761 77

SCHEDULE.—*Continued*

No.	SERVICE	—		Total
		\$	cts	\$ cts
	Brought forward....			47,216 25 2,644,761 77
	<b>XIII—CHARITIES—<i>Continued</i></b>			
	<b>Miscellaneous—<i>Continued</i></b>			
193	Hôpital St-Jean, St. John's, Iberville..		140 00	
194	Sisters of Charity, do ..		140 00	
195	Bechmer Rest, Ste-Agathe des Monts..		200 00	
196	Jardin de l'Enfance St-Joseph, Joliette..		300 00	
197	Catholic Sailors' Club, Montreal..		100 00	
198	Montreal Sailors' Institute, do ..		100 00	
199	L'Union Nationale Française, do ..		200 00	
200	L'Oeuvre de la Crèche du Bon Pasteur, Quebec..		200 00	
201	L'Ouvroir des Sœurs de la Charité do ..		200 00	
202	Hospice des Petites Sœurs de Nominingue, Co. Ottawa..		100 00	
203	Hôpital Guay, Levis..		100 00	
204	Hôtel-Dieu, do ..		200 00	
205	L'Hospice Ste-Elizabeth de Farnham, Co. Missisquoi..		200 00	
206	L'Hospice Drapeau, Co. Terrebonne..		100 00	
207	Sœurs de la Charité de l'Hospice Ste-Croix, Marieville..		100 00	
208	La Crèche de Sherbrooke, Sherbrooke..		50 00	
209	L'Hospice des Veillards, do ..		100 00	
210	Hôpital Général de Maniwaki, Co. Ottawa..		100 00	
211	Hôpital de Magog, Co. Stanstead..		200 00	
				50,046 25
	Carried over.....			2,694,808 02

## SCHEDULE.—Continued

No.	SERVICE	Total		—		—	
		\$	cts.	\$	cts.	\$	cts.
	Brought forward.....					2,694	808 02.
	<b>XIV.—CHARGES ON REVENUE</b>						
212	Expenses in connection with the collection of licences, duties on successions and taxes on commercial corporations, etc., 63 Vic., cc. 12 and 13, 6 Ed. VII, cc. 10 and 11, etc.....			85,000	00		
213	Stamps, Licences, etc.....			7,000	00		
214	Registrars: Salaries and Contingencies.....			35,000	00		
215	" Quebec Official Gazette ".....			13,000	00		
216	Inspector of Mutual Benefit Associations. S. R. Q., art. 3104e (62 Vict., chap. 32), travelling expenses.....			1,000	00	141,000	00
	<b>XV.—MISCELLANEOUS SERVICES</b>						
217	Miscellaneous generally.....			20,000	00		
218	Agent in France, salary and allowance for office rent, etc.....			3,000	00		
219	Agent of the Province at Ottawa, salary, including all travelling and other expenses.....			2,000	00		
220	Annuity to Miss Marie Regina Drolet, by Res. Leg. Assembly of 3rd Feb. 1890..			200	00		
221	Bar of the Province of Quebec; aid towards the publication of the Judicial Reports.....			3,000	00		
222	Special Officer, North Coast of St. Lawrence, salary and travelling expenses. (O. C. No. 51 of 31st January, 1896)..			1,200	00		
223	Province of Quebec Rifle Association, Montreal.....			400	00		
224	Numismatic and Antiquarian Society of Montreal.....			400	00		
	Carried forward.....			30,200	00	2,835,808	02

SCHEDULE.—*Continued.*

No.	SERVICE	Total	—	—
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....		30,200 00	2,835,808 02
	XV.—MISCELLANEOUS SERVICES.— <i>Continued</i>			
225	Royal Military College of Canada Rifle Association.....		100 00	
226	Pérodeau Building.....		47,500 00	
227	The Bank of St. Hyacinthe.— Amount of judgment in the case of said Bank against the King for part of subsi- dies granted to the United Counties Railway Company \$16,625 51			
	Interest on same from 21st February, 1903, to 1st July, 1908, at 5% per annum.... 4,452 43			
	Messrs. Lafleur, MacDougall and Macfarlane, costs al- lowed in Superior and Ap- peal Courts..... 583 70			
			21,661 64	99,461 64
	XVI.—RAILWAYS			
228	Towards the payment of one year's in- terest, to 30th June, 1909, at 3% per annum, on \$25,000, purchase price of the Fuel Yard, Quebec, acquired for the Quebec, Montreal, Ottawa and Occidental Railway.....			750 00
	Total.....			2,936,019 66



## CHAP. 2

An Act respecting the celebration of the three-hundredth anniversary of the founding of Quebec

[Assented to 25th April 1908]

**W**HEREAS the year 1908 is the three-hundredth anniversary of the founding of Quebec and of the establishment of civilization upon the banks of the river St. Lawrence by Samuel de Champlain ; Preamble.

Whereas the Governor-General in Council, thereto authorized by the Parliament of Canada, has appointed a commission for the purpose of organizing and carrying out the solemn celebration of this great event and also of dedicating to the uses of the public the great historic battle-fields of Quebec ;

Whereas the Parliament of Canada and the Legislature of the Province of Ontario, have subscribed generously for this object ;

And whereas it is proper for the Legislature of this Province to contribute to the celebration of the said three-hundredth anniversary of the founding of Quebec, and to the acquisition and preservation of the said battle-fields ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The Lieutenant-Governor in Council is authorized to pay Lieut.-Gov. in Council into the hands of the commission appointed by the Governor-General in Council, for the purpose of organizing and carrying out a solemn celebration of the three-hundredth anniversary of the founding of Quebec, and the establishment of civilisation upon the banks of the river St. Lawrence by Samuel de Champlain, and also for the dedication to the uses of the public of the historic battle-fields of Quebec, a sum of one hundred thousand dollars, destined to the creation of a national park, the acquisition of the land and buildings necessary therefor, and for the erection of monuments, statues and other works which may be deemed necessary for the embellishment of the battle-fields and the conversion of the latter into a national park worthy to commemorate the great events which have taken place there, as well as for the building of a museum in the city of Quebec. authorized to contribute \$100,000 for the celebration of the three-hundredth anniversary of the founding of Quebec, of Quebec, &c.

2. The Lieutenant-Governor in Council may appoint a commissioner, who shall hold office during pleasure, as the representative of the Province of Quebec upon the commission appointed by the Governor-General in Council. Appointment of commissioner to represent Province, &c.

3. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 3

An Act to authorise municipalities to contribute to the celebration of the three hundredth anniversary of the founding of Quebec.

[Assented to 25th April 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Municipal-  
ities may  
contribute  
to Quebec  
tercentenary  
&c.

1. It shall be lawful for the municipal council of any municipality incorporated in virtue of a general act or by special charter, to contribute to the celebration of the three hundredth anniversary of the founding of the city of Quebec, and to the establishment of civilisation on the banks of the river St Lawrence, by Samuel de Champlain, and for such purposes to grant, by by-law, to the commission appointed for that purpose by the Government of Canada, a subsidy destined for the commemoration of these great events, and for the acquisition, preservation and embellishment of the great historic battle-fields of Quebec, as well as for the building of a museum in the city of Quebec.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 4

An Act to grant an additional subsidy to elementary schools

[Assented to 25th April 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

60 V., c. 3, s.  
1, amended.

1. Section 1 of the act 60 Victoria, chapter 3, as amended by the act 5 Edward VII, chapter 2, section 1, is again amended by replacing the words : "two million acres", in the third line, by the words : "two million five hundred thousand acres."

Id., s. 2,  
amended.

2. Section 2 of the said act, as amended by the act 5 Edward VII, chapter 2, section 2, is again amended by replacing the words : "one hundred and twenty", in the fourth line, by the words : "one hundred and eighty."

3. Section 3 of the said act is amended by adding after the Id., s. 3, word : " towns ", in the fifth line, the words : " in aiding the establishment by school commissioners, of commercial academies in poor municipalities to the amount of twenty thousand dollars." <sup>amended.</sup>

4. Section 4 of the said act, as amended by the act 5 Edward VII, chapter 2, section 3, is again amended : <sup>Id., s. 4, amended.</sup>

a. By replacing the words : " one hundred and twenty ", in the third line, by the words : " one hundred and eighty ";

b. By replacing the words : " one hundred ", in the fourth line, by the words : " one hundred and fifty."

5. Section 5 of the said act, as amended by the act 5 Edward VII, chapter 2, section 4, is again amended by replacing the words : " one hundred and twenty ", in the first, sixth and eleventh lines ", by the words : " one hundred and eighty." <sup>Id. s. 5, amended.</sup>

6. This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 5

An Act respecting subsidies to certain railway companies.

[Assented to 25th April 1908].

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. It shall be lawful for the Lieutenant-Governor in Council, to grant the subsidies hereinafter mentioned, to aid the construction of the railways hereinafter enumerated : <sup>Subsidies to certain railways.</sup>

a. To the Quebec Central Railway Company to assist it to construct 30 miles of its railway from St. George de Beauce, going in the direction of Cabano on the Temiscouata railway, following the Famine river to its source near the village of Langeville, and thence following the waters of the river St. Jean across the counties of Beauce, Dorchester, Bellechasse, Montmagny, L'Islet, Kamouraska and Temiscouata, a subsidy of 3,000 acres of land per mile, not convertible into money; <sup>Quebec Central.</sup>

b. To the Orford Mountain Railway Company, a subsidy of 2,000 acres of land per mile not convertible into money, to aid it to construct ; <sup>Orford Mountain.</sup>

- (1). 3.12 miles of railway from Mansonville to the boundary line;
  - (2). 7.54 miles of the Bolton and Mansonville line;
  - (3). 8 miles from Windsor Mills to Brompton Falls;
  - (4). 3.50 miles from the Melbourne road crossing to the village of Melbourne;
  - (5.) 5 miles from a point on the main line to lake Bonallie (on the south side) in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (t).
- Quebec and Lake St. John. c. To the Quebec and Lake St. John Railway Company, a subsidy of 2,000 acres per mile, not convertible into money, to aid it to build a branch line from the main line at Charlesbourg to L'Etang on the Montmorency river for a distance of 6 miles ;
- Quebec, Montreal and Southern. d. To the Quebec, Montreal and Southern Railway Company, a land subsidy of 2,000 acres per mile not convertible into money, for a line of 107 miles from Yamaska in the direction of Levis ;
- Id. e. To the same company a land subsidy of 2,000 acres per mile not convertible into money, to aid it to build a branch from the main line at Bécancourt to the St. Lawrence river, for a distance of not more than 4 miles ;
- Indian River. f. To the Indian River Railway Company, a subsidy of 4,000 acres of land per mile not convertible into money, for a railway, 19 miles long, from a point at or near the north end of lake Megantic and towards the south along said lake to a point on the international boundary line, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (d) ;
- Matane and Gaspé. g. To the Matane and Gaspé Railway Company, a subsidy of 4,000 acres of land per mile, not convertible into money, to aid it to build 37 miles of its line from a point at or near Ste. Flavie on the Intercolonial railway to Matane.
- In lieu of a certain subsidy. This subsidy is to be in lieu of the subsidy granted to said company by the act 6 Edward VII, chapter 4, section 1, paragraph b, for 30 miles of its road from St. Octave de Métis to Matane.
- From Jonquières towards Ha! Ha! Bay. h. To a railway company, a subsidy of 4,000 acres of land per mile, not convertible into money, to aid it to build 20 miles of railway from Jonquières in the direction of Ha! Ha! Bay, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (r) :

- i. To the Canadian Northern Quebec Railway Company, <sup>Canadian Northern Quebec.</sup> to aid it to build a railway in the county of Montcalm, from St. Jacques to the village of Rawdon, thence in a northerly direction towards lake Archambault, a subsidy of 3,000 acres of land per mile, not convertible into money, for a distance of 20 miles ;
- i. To the same company to aid it to build 65 miles of its <sup>Id.</sup> road from Montreal to Grenville, a subsidy of 2,000 acres of land per mile, not convertible into money.;
- k. To the Quebec and Lake St. John Railway Company, <sup>Quebec and Lake St. John.</sup> to aid it to complete 3.8 miles of its line from Valcartier to Ste. Catherine, a subsidy of 3,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (e) ;
- l. To the same company a subsidy of 3,000 acres of land <sup>Id.</sup> per mile, not convertible into money, to aid it to build  $4\frac{1}{2}$  miles of a railway branch line from Valcartier station, in the direction of the township of Gosford. Such subsidy with that mentioned in paragraph k, shall be granted on condition that the company shall establish a free passage, by the building and maintenance of the bridge over and the approaches on both sides of the Jacques Cartier river, for foot-passengers, vehicles, and animals, at or near the old railway bridge over the said river, according to plans which shall be approved by the Lieutenant-Governor in Council, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (f) ;
- m. To the same company, a subsidy of 3,000 acres of land <sup>Id.</sup> per mile, not convertible into money, to aid it to build 12 miles of railway for the extension of the Valcartier branch mentioned in paragraph l, to Gosford township, including a branch of  $3\frac{1}{2}$  miles long to a point on Rivière-aux-Pins, in the parish of St. Gabriel West, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (g) ;
- n. To the Joliette and Lake Manuan Colonization Railway <sup>Joliette and Lake Manuan.</sup> Company, to aid it to build 60 miles of its road from Joliette in the direction of Lake Manuan, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (i) ;
- o. To the Little Nation River Railway Company, to aid <sup>Little Nation River.</sup> it in building a railway from a point between Thurso and Montebello, on the left bank of the Ottawa river, and thence to Chêneville and thence northwards to a

point on lake Nomingue, near the Canadian Pacific Railway, a subsidy of 3,000 acres of land per mile, not convertible into money, for a length of 30 miles ;

Inter-provin-  
cial and  
James Bay.

- n. To the Inter-provincial and James Bay Railway Company, for a line of railway of 50 miles, running from the present terminus of the line of the Canadian Pacific Railway at Gordon Creek to Ville Marie, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (j) ;

Pontiac and  
Inter-provin-  
cial.

- q. To the Pontiac and Inter-provincial Railway Company, to aid it to build a railway of 20 miles in length, from Waltham Station to Ferguson's Point, in the county of Pontiac, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (k) ;

From  
Hébertville  
towards St.  
Joseph d'Al-  
ma.

- r. To a railway company, to aid it to build 10 miles of railway, starting from a point in the village of Hébertville, in the county of Lake St. John, running towards St. Joseph d'Alma, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (p) ;

From Ro-  
berval to-  
wards James  
Bay.

- s. To a railway company, to aid it to build 30 miles of railway from Roberval, running towards the west in the direction of James Bay, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (q) ;

Lotbinière  
and Megan-  
tic.

- t. To the Lotbinière and Megantic Railway Company, a subsidy of 2,000 acres of land per mile, not convertible into money, to aid it to build 60 miles of railway from Lyster station in the township of Nelson, county of Megantic, running towards Lime Ridge, county of Wolfe, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (o) ;

Atlantic,  
Quebec and  
Western.

- u. To the Atlantic Quebec and Western Railway Company,, to aid it to construct 50 miles of its road from a point at or near Gaspé Basin running in the direction of Causapscal on the Intercolonial Railway, passing through the interior of the peninsula of Gaspé, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (a) ;

Id.

- To the same company, to aid it to construct 100 miles of road from Paspebiac to Gaspé, 20 miles having been

built between Paspebiac and Port Daniel, following the shore as nearly as possible, a subsidy of 4,000 acres per mile, not convertible into money, for a length not exceeding 80 miles, in lieu of the subsidy granted by the act 6 Edward VII, chapter 4, section 1, paragraph (a) ;

- v. To the Metebetchouan Company, a subsidy of 1,000 <sup>Metabet-</sup>acres of land per mile, for 13 miles, from lake Bouchette, <sup>chouan.</sup> to St. André on the river Metebetchouan, not convertible into money.

**2.** The mines and minerals, as defined in the Quebec Mining <sup>Mines, etc.,</sup> Law, including coal and petroleum, which may be in or on <sup>reserved to</sup> the lands granted under this act, are reserved in favor of the <sup>Crown.</sup> Crown.

**3.** All the subsidies in land provided for by this act shall be <sup>When subsi-</sup>exigible as follows : <sup>dies exigible.</sup>

- a. Upon the completion of the portion of the road for which the subsidy was granted, if such portion of road is less than 10 miles in length ;
- b. Upon the completion of each section of 10 miles, in the proportion which the cost of such completed section bears to that of the whole of the subsidized portion of the road.

**4.** The choice of the lands so to be given as subsidy <sup>Choice and</sup> shall be left entirely to the Lieutenant-Governor in Council ; <sup>location of</sup> the lands chosen shall not be comprised within any timber <sup>lands.</sup> limits under license at the time of the grant, and shall, as much as possible, be located along or in the neighborhood of each railway for which they are granted.

**5.** The granting of the subsidies in land under this act, <sup>Conditions</sup> and the acceptance thereof by the respective companies, shall <sup>of grant.</sup> be subject to the following conditions :

- a. The cost of the inspection and survey of the lands granted shall be paid by the company to which they are granted ;
- b. The company shall be obliged to sell, within the delay from time to time fixed by the Minister of Public Works and Labour, to settlers in good faith who apply therefor, lots out of the lands granted as subsidies, at a price not exceeding \$2.50 per acre ;
- c. The Minister of Public Works and Labour may, for the advancement of colonization and the convenience of settlers, indicate the places where the company shall erect stations upon its lines, and such stations shall be erected accordingly ;

- d. The Lieutenant-Governor in Council shall have absolute control, at all times, over the rates and tolls to be levied and imposed by the company upon its railway ;
- e. The company shall build its road with rails made and purchased in Canada, and shall equip its line with materials also so made and purchased, unless such rails and materials cannot be procured in Canada at as low a price and upon as favorable conditions as elsewhere, and unless such company has been previously authorized by the Lieutenant-Governor in Council to procure such rails and materials outside Canada ;
- f. The railway shall be built in accordance with plans, profiles, books of reference, specifications and estimates, and under the conditions approved by the Lieutenant-Governor in Council, upon the report of the Minister of Public Works and Labour.

Commence-  
ment and  
completion  
of works.

**6.** The works of construction upon the railways for which subsidies in land shall be granted under this act, shall be commenced, if not so already, within two years next after the first of July, 1908, and be completed within a reasonable delay to be determined by the Lieutenant-Governor in Council, not to exceed four years from the said date ; and, in default of the commencement and completion of the works within the prescribed delays, the subsidies shall lapse for that portion of the railway which then remains incomplete.

Contract  
between cer-  
tain Depart-  
ment and  
companies  
subsidized.

**7.** Before commencing or resuming work, the company to which subsidies in land shall be granted shall enter into a contract in writing with the Department of Public Works and Labour, determining the conditions and nature of the work to be performed on the road, and the share of the subsidy to be assigned to each section of ten miles of a continuous and uninterrupted road, in proportion to the cost of building the whole line or the subsidized portion thereof, as estimated by the railway engineer of the Department ; and every such company shall, before claiming any part of the subsidies provided for by this act, establish to the satisfaction of the Lieutenant-Governor in Council that it has the means necessary to complete its road and to maintain it in regular operation.

Notice that  
railway is  
ready for  
inspection.

**8.** The company to which a subsidy shall be granted under this act, shall, whenever any section of its road is ready for inspection by the railway engineer of the Department, notify the Minister of Public Works and Labour thereof, and that in consequence it requires such inspection and report of the engineer.

Coming into  
force.

**9.** This act shall come into force on the day of its sanction.



## CHAP. 6

An Act to amend the act respecting the repayment of subsidies  
by railway companies

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Paragraph 1 of section 1 of the act 1 Edward VII, chapter 1 Ed. VII, c. 2, is amended by adding thereto the following paragraph : 2, s. 1, par. 1 amended.  
"The working expenditure does not include the amount "Working expenditure" paid or due for taxes, for interest on hypothecs or on obligations, or for sinking fund."

2. Paragraph 1 of section 2 of the said act, is amended by Id., s. 2, par. 1, amended.  
adding thereto the following paragraph :

"In calculating net profits, the amounts paid or due for "Net profits" taxes, for interest on hypothecs or on obligations, or or sinking fund, shall not be deducted from the gross receipts of the company."

3. This act shall not be interpreted as declaring that the Provisional previous law is different from that herein expressed.

4. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 7

An Act respecting the Revised Statutes

[Assented to 25th April, 1908].

**W**HEREAS the commission charged with the revision and Preamble.  
consolidation of the Statutes of this Province of a general and permanent character, has transmitted to the Lieutenant-Governor, reports containing the consolidation of such of said statutes, as, in its opinion, are still in force, and that such reports have been submitted to the Legislature in order to be declared law by act of said Legislature ;

And whereas statutes of a public and general nature, have been passed since such reports were completed, and that it is expedient that such statutes should be incorporated in the said reports ;

And whereas it is expedient to enact that the said reports and the statutes to be incorporated therewith shall have force of law ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Original roll  
of R. S. Q.,  
1908.

1. The reports signed by the members of the commission charged with the revision and consolidation of the statutes of this Province, of a general and permanent character, which reports are deposited among the archives of the Provincial Secretary, and marked "A", shall be deemed to be the original roll of the Revised Statutes of the Province of Quebec, 1908.

Marginal  
notes, &c.,  
inserted for  
reference  
only.

Nevertheless the marginal notes printed on the said roll, the references to former enactments at the foot of the several articles thereof, and the explanatory notes, shall form no part of the said statutes, and shall be held to have been inserted for reference only, and may be omitted or corrected ;

Misprints,  
&c., may be  
corrected, &c.

Any misprint or error, whether of commission or omission, or any contradiction or ambiguity, in the said roll, may also be corrected by the special commissioner hereinafter mentioned but without changing the legal effect, and such alterations in the language of the said statutes as are requisite to preserve a uniform mode of expression and do not alter the legal effect, may be made in the above mentioned roll.

Special com-  
missioner.

His func-  
tions, &c.

2. 1. The Lieutenant-Governor in Council may appoint as special commissioner, with such remuneration as he may think proper, a competent person to incorporate in the roll deposited among the archives of the Provincial Secretary, and marked "A", the statutes of a public and general nature which have come into force since such roll was completed, as well as those passed during the present session ; to prepare the schedules of the statutes which will be repealed from and after the day when the said Revised Statutes shall have come into force ; to prepare and cause to be printed the above mentioned roll ; and to do all other things necessary for the putting the said Revised Statutes into force.

Assistants to  
commis-  
sioner, &c.

2. The Attorney-General may authorize the special commissioner to employ such assistants or other persons as he may require in the performance of his duties, and may fix the amount of their remuneration.

Acts to be  
incorporated  
with original  
roll, &c.

3. The Lieutenant-Governor in Council may select such acts and parts of acts passed since the reports of the commissioners charged with the revision and consolidation of the statutes have been completed, as he may deem advisable to incorporate with the roll marked A, and may cause them to be so incorporated

therewith by the special commissioner, adapting their form and language to those of such roll (but without changing their legal effect), inserting them in their proper places in the said roll, striking out of the latter any enactments repealed by or inconsistent with those so incorporated, and altering the numbering of the titles, chapters, sections, paragraphs and articles or their order, if need be.

4. So soon as the said incorporation of such acts and parts of acts, the schedule of the acts or parts of acts to be repealed on the coming into force of the Revised Statutes, and the index, have been completed by the special commissioner, the said commissioner shall cause to be printed in French and English, the roll as amended and corrected, with the schedule of the repealed statutes, and the index, and shall transmit the same to the Lieutenant-Governor, who may cause a French copy and an English copy thereof, attested under his signature and countersigned by the Provincial Secretary, to be deposited in the office of the Clerk of the Legislature, which roll shall be the original of the said Revised Statutes, and shall be held to embody the several acts and parts of acts mentioned as repealed in the schedule thereto annexed, but the marginal notes printed on such roll, and the references to former enactments at the end of each article shall not form part of the said statutes, but shall be held to have been inserted for greater convenience only.

Printing, &c., of amended roll.  
Attestation of two copies as original, &c.

5. The Lieutenant-Governor in Council, after such deposit of the said last mentioned roll, may, by proclamation, declare the day on, from and after which the same shall come into force and have effect as law, under the name of the "Revised Statutes of the Province of Quebec, 1908," or "Revised Statutes 1908."

Proclamation bringing R. S., 1908, into force.

6. 1. On, from and after such day, the said roll shall accordingly come into force and effect under the name of the "Revised Statutes of the Province of Quebec, 1908," or "Revised Statutes, 1908."

Short title.

2. From and after the same day, all the enactments in the several acts and parts of acts mentioned as repealed in the schedule annexed to such roll, shall, in so far as they are within the legislative authority of this Province, be repealed to the extent therein indicated.

Certain enactments repealed.

7. The repeal of the said acts or parts of acts, shall not have the effect :

Effect of repeal

1. Of reviving any law or any provision of law which they repeal ;

2. Of impairing the effect of any reserve expressed in said acts or parts of acts, nor of preventing any of said acts or parts of acts, or any law or any provision of law heretofore in force, from applying to any transaction, matter or thing prior to the said repeal, to which they would otherwise apply.

Repeal not to  
affect penal-  
ties, actions,  
deeds, &c.

8. The repeal of the said acts and parts of acts shall not affect :—

a. Any penalty, forfeiture or liability, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal ;

b. Or any action, suit, judgment, decree, certificate, execution, process, order, rule, or any proceeding, matter or thing whatever respecting the same, commenced, instituted, had, entered into, granted, pending, existing, or in force at the time of such repeal ;

c. Or any act, deed, right, title interest, grant, warranty, descent, will, registry, statute, rule, order in council, proclamation, regulation, by-law, resolution, contract, lien, charge, civil status, capacity, immunity, matter or thing, had, done, made, passed acquired, established or existing at the time of such repeal ;

d. Or any office, appointment, commission, salary, allowance, security, duty, or any matter or thing appertaining thereto at the time of such repeal ;

e. Or any marriage, certificate or registry thereof, lawfully had, made, granted, or existing before or at the time of such repeal ;

2. Nor shall the repeal of such acts and parts of acts defeat, disturb, invalidate or prejudicially affect any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal ;

### 3. BUT EVERY SUCH :

a. Penalty, forfeiture and liability ;

b. Action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing ;

c. Act, deed, right, title, interest, grant, warranty, descent, will, registry, statute, order in council, proclamation, regulation, by-law, resolution contract, lien, charge, civil status, capacity, immunity, matter or thing ;

d. Office, appointment, commission, salary, allowance, security, and duty, matter or thing ;

e. Marriage, certificate and registry thereof, and every such other matter and thing,

May and shall remain and continue as if such repeal had not

taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes and other the statutes and laws having force in this Province, and subject to the provisions of the said several statutes and laws.

**9.** 1. The said Revised Statutes shall not be held to operate as new law, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said acts and parts of acts so repealed, and for which the said Revised Statutes are substituted. Revised Statutes not new law, &c.

2. Nevertheless if upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed acts and parts of acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Statutes take effect, the provisions contained in them shall prevail; but as respects all transactions, matters and things before such time, the provisions of the said repealed acts and parts of acts shall prevail. Where Revised Statutes in conflict with prior statutes.

**10.** Any reference in any former act remaining in force, or in any proclamation, order in council, instrument and document, to any act or enactment so repealed, shall, after the Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the Revised Statutes having the same effect as such repealed act or enactment. Certain references in former acts.

**11.** The insertion of any act in the said schedule of repealed acts shall not be construed as a declaration that such act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes. Effect of insertion in schedule, of repealed acts.

**12.** Copies of the said Revised Statutes, purporting to be printed by the King's Printer, shall be received as evidence of the said Revised Statutes and of their contents. Certain printed copies as evidence.

**13.** If upon any point there be a difference between the English and French versions of the Revised Statutes, that version which is most consistent with the acts consolidated in the said statutes shall prevail. Difference between the two versions.

**14.** The laws relating to the distribution of the printed copies of the statutes, shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Lieutenant-Governor in Council may direct. Distribution of Revised Statutes.

**This act to be printed with R. S., &c.** **15.** This act shall be printed with the said Revised Statutes and shall be subject to the same rules of construction as the said statutes.

**Citation of articles of R. S., &c.** **16.** The Revised Statutes shall have but one series of articles, and may be cited by the article, adding the words: "of the Revised Statutes of the Province of Quebec, 1908," or simply "of the Revised Statutes, 1908."

**Remuneration of commissioner, &c.** **17.** The remuneration of the commissioner and of the persons employed by him, and the expenses which he may incur for printing, stationery, and other things necessary for the complete performance of his duties in virtue of this act, shall be paid by warrant of the Lieutenant-Governor out of the Consolidated Revenue Fund.

**Supplement to R. S.** **18.** It shall further be lawful for the Lieutenant-Governor in Council, to cause to be prepared and printed in one volume, under the direction of the said special commissioner, a supplement to the Revised Statutes, including the acts and parts of acts of a public and general nature within the powers of the Legislature, and which it has not been thought proper to insert in the said Revised Statutes, as not being permanent or as only affecting cases which have become special cases.

**Ss. 2 and 17 to apply to supplement.** The provisions of sections 2 and 17 of this act shall apply to the preparation and printing of such supplement.

**4 Ed. VII, c. 3, repealed.** **19.** The act 4 Edward VII, chapter 3, is repealed.

**Coming into force.** **20.** This act shall come into force on the first day of May, 1908.

## CHAP. 8

An Act to authorize the revision, consolidation and modification of the Municipal Code

[Assented to 14th April 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**Comission to consolidate, &c., Municipal Code.** **1.** The Lieutenant-Governor in Council may appoint a commission to revise, consolidate and modify the Municipal Code of the Province.

**Commissioners.** **2.** Such Commission shall be composed of three commis-

sioners and of two secretaries, one speaking the French and the other speaking the English language. The secretaries shall be chosen from among the advocates of this Province.

**3.** The Commission shall proceed with the greatest possible diligence to consolidate, revise and modify the said Code and the laws relating thereto.

**4.** In matters not provided for by this act, the Commission shall be guided by instructions from the Attorney-General.

**5.** The Commission shall, from time to time, report its proceedings, and the progress of the work confided to it, to the Lieutenant-Governor.

Whenever it may deem a portion of the work sufficiently advanced, it shall have the same printed, and shall forward to the Lieutenant-Governor a sufficient number of copies with its report.

**6.** When the work is completed, printed copies of the Code, with the reports of the Commission, shall be submitted to the Legislature.

**7.** The Municipal Code and the reports of the Commission shall be made and drawn up in the French and English languages.

**8.** Notwithstanding any law to the contrary, each commissioner shall receive the sum of two thousand dollars per annum, and each secretary the sum of one thousand dollars also per annum. It shall be lawful for the Lieutenant-Governor in Council to choose one of said commissioners from among the members of the Legislative Council or of the Legislative Assembly, and to give him the indemnity fixed by this section.

**9.** The salaries of the commissioners and secretaries, with such expenses as may be incurred by them for travelling, printing, stationery and other things necessary for the due performance of their duties under this act, shall be paid by warrant of the Lieutenant-Governor out of the Consolidated Revenue Fund.

**10.** The Attorney-General is charged with carrying out this act.

**11.** This act shall come into force on the day of its sanction

Secretaries.  
Commission.

Reports of  
Commission.

Printing of  
parts of  
work, &c.

Printed  
copies to be  
submitted  
to the  
Legislature,  
&c.

Code and  
reports to be  
in both  
languages.

Salaries of  
commission-  
ers, &c.

One Legisla-  
tive Coun-  
cillor, &c.,  
may be com-  
missioner.

Salaries, &c.,  
how payable.

Act by whom  
to be carried  
out.

Coming into  
force.

## CHAP. 9

An Act respecting a sale by the Honourable N. Pérodeau, to the Government of the Province of Quebec

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS, on the 31st day of December, 1907, by deed passed at the city of Quebec before C. E. Taschereau notary, under the number 3973 of his minutes, the Honourable Narcisse Pérodeau, notary and member of the Legislative Council of the Province of Quebec, sold to the Government of this Province, the immoveables described in the said deed, for the price and upon the conditions therein mentioned.

Whereas the Government of this Province bought the said immoveables in the public interest, for the needs of the administration of justice, and in order to enlarge the court-house in the city of Montreal.

And whereas it is stipulated in the said deed that it (said deed) is subject to the ratification thereof by this Legislature.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Certain sale of Dec. 31st, 1907, ratified, &c.

**1.** The deed of sale above mentioned, passed on the 31st day of December, 1907, and reproduced in the schedule to this act, is hereby declared valid, and is ratified and confirmed to all intents and purposes, notwithstanding any provision of law which may affect the said deed or the capacity of the parties thereto.

Coming into force.

**2.** This act shall come into force on the day of its sanction.

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SCHEDULE

In the year one thousand nine hundred and seven, the thirty-first day of the month of December,

Before CHARLES EDMOND TASCHEREAU, the undersigned notary public for the Province of Quebec, residing and practising in the city of Quebec,

CAME AND APPEARED :

THE HONOURABLE NARCISSE PÉRODEAU, notary, and one of the Legislative Councillors of the Province of Quebec,



residing in the city of Montreal, hereinafter called "the vendor,"

*Of the one part.*

AND

THE GOVERNMENT OF THE PROVINCE OF QUEBEC, herein represented by the Honourable Louis Alexandre Taschereau, Minister of Public Works and Labour, hereunto authorized by an order-in-council passed on the twenty-seventh December instant and approved by His Honour the Lieutenant-Governor in Council on the thirtieth of the same month, a copy whereof shall remain annexed to the original of these presents, after having been signed by the undersigned notary for identification; the said Government of the Province of Quebec being hereinafter called "the purchaser,"

*Of the other part.*

Which said parties have declared as follows, to wit :

The said Narcisse Pérodeau, or vendor, has hereby sold under all legal warranties and free and clear of all debts and hypothecs to the said Government of the Province of Quebec, or purchaser, thereof accepting, acting and represented as aforesaid, the following immovable situate near the Court House in Montreal, bounded on the south-east by Notre-Dame street, and on the north-west by St. James street and containing :

1. A lot of land known and designated under the number one hundred and eighteen (118) of the official plan and book of reference of the East Ward of the said city of Montreal, and bounded in front by Notre-Dame street, with all the rights the vendor has or may have in and to the passage in common between the immovable presently described and the adjoining property situate on the south-west side and known and designated under the number one hundred and seventeen (117) on the official plan and book of reference of the said East Ward, belonging to the estate of the late Honourable J. A. Berthelot or representatives, which lot of land, according to the book of reference, seems to contain a superficies of two thousand one hundred and eighty-four feet, English measure, but it is sold without warranty as to contents, the difference, whether it be more or less, to be to the profit or loss of the purchaser.

2. A lot of land of triangular shape to be taken from the southern corner of lot number one hundred and twenty-three (123) of the cadastre for the said East Ward of the said city of Montreal, having a superficies of about four hundred and ten feet according to the plan made by H. Blaiklock, surveyor of the cadastre at Montreal and a copy whereof is annexed to

the original of a deed of sale by Her Majesty, Queen Victoria, or the Quebec Government, to the late Mr. Richard John Devins, before Jean Côté, notary, dated the twenty-first June, one thousand eight hundred and eighty-three, a copy whereof was registered in the registry office of Montreal East on the following day under the No. 729 ; the said piece of land is contiguous to the said official lot number one hundred and eighteen above described, and is bounded on the north-west by the continuation of St. James street ; on the south-west by official lot number one hundred and nineteen, on which said immovable is erected a stone and brick building of four stories, besides the attics, and the upper stories whereof have for several years been occupied by the purchaser as lessee, as the whole now is, circumstances and dependencies.

#### TITLES

The vendor has acquired the said immoveables as follows, to wit :

The lot or immovable hereinabove firstly described from Dame Anne Maria Devins, widow without issue of the late Mr. Thomas Tiffin of Montreal, by deed of sale passed before C. de Salaberry, notary, at Montreal, on the twenty-sixth of January one thousand eight hundred and ninety-three, a copy whereof was registered in the said registry office of Montreal East, on the sixteenth February, one thousand eight hundred and ninety-three, under the No. 33,203.

Mrs. Tiffin was the owner of the said immovable as substitute in the substitution created by the will of the late Mr. Peter Devins, her father, made before the late Mr. J. H. Jobin and his colleague, notaries, on the eighteenth February one thousand eight hundred and sixty-five, a copy whereof was registered in the office of the former registration division of Montreal on the second November of the same year, under the No. 42,536, as appears by the deed of declaration made by the said Dame Tiffin of the opening of the said substitution before C. de Salaberry, notary, at Montreal, on the twenty-sixth January, one thousand eight hundred and ninety-three, a copy whereof was registered at Montreal East, on the 16th February, 1893, under the No. 33,202 ; in which it is declared that Richard John Devins, the brother of the said Dame Tiffin, died without issue on the nineteenth February, one thousand eight hundred and ninety-two, that the said late Peter Devins had acquired the same immovable, with a greater area, from the heirs of David David by deed of sale passed before G. D. Arnoldi, notary, on the nineteenth May one thousand eight hundred and thirty-five ; that the said late Peter Devins had been married only once, to wit : to Dame Anne Maria Holahan who predeceased him and from whom he was separated as to property under

the terms of their marriage contract, passed before Mtre. A. T. Kimber and his colleague, notaries, at Montreal, on the twenty-third April, one thousand eight hundred and twenty-seven and that all seigniorial dues on the said immoveable had been commuted by deed of commutation before F. Faure, notary, on the fourth August, one thousand eight hundred and sixty-eight,

The vendor acquired the above lot of land hereinabove secondly described from Reverend Sister Devins, *née* Margaret Amelia Devins, of Montreal, a nun of the community of Sisters called "*Les Sœurs de la Charité de l'Hôpital-Général de Montréal*," the universal legatee as to ownership of the late Richard John Devins, by deed of sale passed before C. de Salaberry, notary, on the thirty-first May, one thousand eight hundred and ninety-three, a copy whereof was registered at Montreal East, on the twenty-ninth June, one thousand eight hundred and ninety-three (1893) under the No. 34,256.

The vendor declares that he has settled with the said Sister Devins, the universal legatee of the said late Richard John Devins, as established by a deed of acquittance passed before the said C. de Salaberry, notary, on the twenty-sixth June, one thousand eight hundred and ninety-three, as regards any claims the said Mrs. Tiffin might have against the estate of her brother the said late Richard John Devins or any sums of money which the said seller might legally owe the said estate, as he was obliged to do under the aforesaid deed of sale by the said Dame Tiffin to the said vendor.

The vendors declare that the passage above mentioned has been established under and in the manner set forth in a deed of agreement between James D. Gibb and Peter Devins before J. J. Gibb, notary, on the 31st January, 1846.

#### CHARGES AND CONDITIONS

This sale is made subject to the following charges and conditions, to wit :

1. This deed of sale is subject to ratification by the Legislature of Quebec at its next session.

2. The purchaser shall take possession and become the owner of the said immoveable only from and after the first May next, if the deed of sale is ratified at that time and, in the contrary case, immediately after its ratification at the said next session, and, in the interval, the immoveable shall be at the risk and peril of the vendor.

3. The purchaser shall maintain the leases now existing.

#### PRICE OF SALE

The present sale is made for and in consideration of the sum

of forty-seven thousand five hundred dollars which the purchaser shall pay to the vendor after the ratification of the present deed of sale by the Legislature of Quebec.

#### DECLARATION BY THE VENDOR

The vendor declares that he is married to Dame Mary L. Buckley and is separated from her as to property.

WHEREOF ACTE : Done and passed at Quebec, under the number three thousand nine hundred and seventy-three of the minutes of the undersigned notary.

And the parties have, with the undersigned notary, signed these presents duly read.

(Signed) N. PÉRODEAU,  
 “ L. A. TASCHEREAU,  
 “ C. E. TASCHEREAU, N. P.

True copy of the original remaining of record in my office.

C. E. TASCHEREAU, N. P.

#### CHAP. 10

An Act to amend the act to grant a yearly subsidy to certain municipalities for the making and maintenance of roads

[Assented to 25th April 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c.  
3, s. 2,  
amended.  
Corporation  
not bound to  
make, &c.,  
roads, &c.,  
in certain  
cases.

1. Section 2 of the act 7 Edward VII, chapter 3, is amended by adding the following paragraphs thereto :

“ On taking front roads under its charge the corporation is not obliged to make or maintain the fences separating such roads from the lands abutting on the same ; but such fence shall be at the charge of the neighbouring proprietors. Neither is it bound to maintain the water-courses, which remain at the charge of the persons mentioned in the *procès-verbaux* or by-laws governing them.

Proviso as to  
maintenance  
of summer  
roads.

Nevertheless the by-law mentioned in the first paragraph of this article shall not apply to the maintenance of summer roads unless it contains a provision to that effect and, in such case, the maintenance of winter roads shall be at the charge

of the properties or persons who were liable for the same before the adoption of the said by-law unless the council decides otherwise."

2. Section 3 of the said act is replaced by the following : Id., s. 3, replaced.

" 3. Only two rural municipalities per county can be subsidized under section 1 of this act. Nevertheless, if more than two rural municipalities in the same county ask for such subsidy and adopt the by-law mentioned in section 2, they shall, as hereinafter set forth, divide the subsidy, which shall not exceed the sum of eight hundred dollars per county in any year. The subsidy shall be divided by the Minister of Agriculture between the said municipalities entitled thereto in the following manner : three-eighths of the subsidy shall be divided equally between the municipalities each of which has done work during the year to an amount of not less than two hundred dollars and the remainder shall be divided proportionately to the amount spent by each municipality. The decision of the Minister of Agriculture with reference to such division is final and without appeal. Such decision is made without prejudice to the rights a municipality may have to the special subsidy granted by sections 6 and 6b, hereinafter set forth."

Two municipalities per county eligible. Division of subsidy if more than two apply, &c.

3. Section 6 of the said act is amended by adding the following paragraph thereto : Id., s. 6, amended.

" This act likewise applies to rural municipalities where, in accordance with article 1080 of the Municipal Code, work on municipal roads is done at the expense of the corporation, provided the tax imposed for such work is not commuted, wholly or partly, into work to be performed in common."

Certain municipalities to which act to apply.

4. The following articles are inserted in the said act after section 6 : Id., ss. added after s. 6.

" 6a. If a rural municipality, after adopting the by-law mentioned in section 2 of this act, incurs, during the year ending on the previous 31st December, expenses amounting to more than eight hundred dollars for making and maintaining all the roads made and improved at the expense of the corporation of such municipality, and has one or more of such roads or part of a roads macadamized or gravelled, it shall be lawful for the Lieutenant-Governor in Council, on the recommendation of the Minister of Agriculture, to grant, in addition to the subsidy above mentioned, an additional subsidy equal to one-half the expenses incurred for such macadamizing or gravelling, provided such expenses have been incurred in addition to the eight hundred dollars above mentioned, and

Additional subsidy in certain cases. Proviso.

that such special subsidy for macadamizing and gravelling does not exceed five hundred dollars in any one year.

Yearly subsidy in certain cases.

"**6b.** It shall be lawful for the Lieutenant-Governor in Council, on the recommendation of the Minister of Agriculture, to grant a yearly subsidy to any rural municipality which, without adopting the by-law mentioned in section 2 of this act, has macadamized or gravelled one or more roads or part of a road. Such subsidy shall be equal to one-half the expenses incurred during the year ending on the previous 31st December for such macadamizing or gravelling, and shall not exceed five hundred dollars per annum.

Work how done, &c.

"**6c.** The works mentioned in the foregoing sections 6a and 6b, must be done in accordance with regulations, plans and specifications supplied or previously approved by the Department of Agriculture.

Report to Minister of Agriculture, &c.

A special report of the expenses incurred for such work, shall be made to the Minister of Agriculture, before the eighth day of January, on a form supplied by the Department of Agriculture, and accompanied by an affidavit signed by the secretary-treasurer of the council, attesting its correctness.

Notice to Minister of Agriculture, &c.

"**6d.** Corporations wishing to benefit by the subsidy mentioned in the foregoing sections 6a and 6b, shall give notice thereof to the Minister of Agriculture previous to the first of July, by sending him a duly certified copy of a resolution of their municipal council to that effect."

Coming into force.

**5.** This act shall come into force on the day of its sanction.

## CHAP. 11

An Act respecting the appointment of an Agent-General for the Province in the United Kingdom of Great Britain and Ireland

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Appointment of Agent General, &c.

**1.** The Lieutenant-Governor in Council may appoint an Agent-General for the Province, in the United Kingdom of Great Britain and Ireland.

**2.** The Agent-General appointed in virtue of this act, shall be the official representative of this Province in the United Kingdom, and shall reside in said Kingdom. To represent Province in United Kingdom, &c.

He shall be under the control of the Prime Minister, and shall follow the instructions which may be given him, from time to time, by the latter. Under control of Prime Minister, &c.

**3.** The Agent-General shall receive a salary of six thousand dollars a year. Salary.

**4.** The aggregate salary and the expenses which the Agent-General may incur in the performance of his duties, whether for the maintenance of his office or for any other proper purpose, shall not exceed eleven thousand dollars and shall be paid by warrant of the Lieutenant-Governor out of the Consolidated Revenue Fund of the Province. Limit of salary and office expenses, &c.

**5.** This act shall come into force on the day the Lieutenant-Governor in Council may be pleased to fix by proclamation. Coming into force.

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## CHAP. 12

An Act to amend the declaratory and interpretative provisions of the Revised Statutes

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Article 29 of the Revised Statutes is replaced by the R. S. Q., 29, following : replaced.

“ **29.** Unless the court or judge before whom a prosecution is to be brought, or the procedure which is to be followed, are mentioned in the statute enacting a penalty, the prosecution shall be brought, tried and decided before a magistrate, in accordance with the provisions of part XV of the Criminal Code.” Prosecutions, how brought, &c.

**2.** This act shall come into force on the day of its sanction. Coming into force.

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## CHAP. 13

An Act to amend the act 53 Victoria, chapter 2, respecting the county of Matane

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

53 V., c. 2, s.  
1, amended.

1. Section 1 of the act 53 Victoria, chapter 2, as amended by the acts 54 Victoria, chapter 7, section 1; 62 Victoria, chapter 6, sections 3 and 10; and 2 Edward VII, chapter 9, section 1, is further amended by adding thereto, after the word : " Assembly ", in the second line of paragraph b, the words : " and for agricultural purposes."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 14

An Act to detach certain lots from the county of Dorchester and to annex them to the county of Bellechasse for all purposes except school purposes

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec enacts as follows :

Part of town-  
ship of Ware,  
Dorchester,  
annexed to  
Bellechasse.

1. All the lots of the tenth, eleventh, twelfth, thirteenth and fourteenth ranges of the township of Ware, and the lots from and including No. 1 to No. 22 inclusively, of the thirteenth range of the township of Langevin, and the lots from and including No. 1 to No. 16 inclusively, of each of the eleventh and twelfth ranges of the same township, are detached from the county of Dorchester and annexed to the county of Bellechasse for all purposes except school purposes.

R. S. Q., 64,  
72, 73,  
amended.

2. Articles 64, 72 and 73 of the Revised Statutes are amended accordingly.

Coming into  
force

3. This act shall come into force on the day of its sanction.



## CHAP. 15

An Act to detach certain lots from the parish of Sainte-Brigide, in the county of Iberville, and to annex them to the parish of St. Cesaire, in the county of Rouville, for all purposes except school purposes.

[Assented to 14th April, 1908]

**W**HEREAS, by canonical decree dated the 25th May, 1904, Preamble. certain lots, comprising numbers 217 to 241, both inclusive, of the official plan and book of reference of the parish of Sainte-Brigide, have been detached from the said parish and annexed to the parish of St. Cesaire, and it is expedient to detach the said lots from the county of Iberville, and to annex them to the county of Rouville.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The territory of about fourteen hundred square acres in Part of superficies, comprising lots numbers two hundred and seventeen parish of Ste. to two hundred and forty-one, both inclusive, of the official Brigide an- plan and book of reference of the parish of Ste. Brigide in nexed to the county of Iberville, is detached from the said parish and Cesaire, county of county, and annexed to the parish of St. Cesaire, in the county Rouville. of Rouville, for all purposes except school purposes.

2. Articles 64, 72 and 73 of the Revised Statutes are amen- R. S. Q., 64, ded accordingly. 72, 73, amended.

3. Articles 78 to 92a both inclusive of the Municipal Code, M. C., art. 78- shall apply, *mutatis mutandis*, to the rate-payers who are pro- 92a, apply to prietors in the territory so detached from the parish of Ste. ritory. Brigide. annexed ter-

4. The maintenance of the roads and bridges, separating Maintenance the two municipalities of St. Césaire and Ste Brigide, shall of certain be at the joint expense of said two municipalities in equal roads, &c. shares.

5. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 16

An Act to detach certain lots from the parish of St. Cyprien, in the county of Napierville, and to annex them, for all purposes except school purposes, to the parish of St. Blaise, in the county of St. Johns

[*Assented to 25th April, 1908*]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** The territory, of about four square miles in superficies, comprising lots numbers 177 to 238, both inclusive, of the official plan and book of reference of the parish of St. Cyprien, in the county of Napierville, is detached from said county and parish, and is annexed, for all purposes except school purposes, to the parish of St. Blaise, in the county of St. Johns.

**2.** Articles 64, 72 and 73 of the Revised Statutes, are amended accordingly.

**3.** Articles 78 to 92a, both inclusive, of the Municipal Code, shall apply to rate-payers who are proprietors in the territory so detached from the parish of St. Cyprien.

**4.** This act shall come into force on the day of its sanction.

## CHAP. 17

An Act to provide for the appointment of a Deputy Speaker of the Legislative Assembly

[*Assented to 25th April, 1908*]

Preamble.

**W**HEREAS, the Legislative Assembly has resolved:

That this House do elect a Chairman of the Committees of this House at the beginning of each Legislature, as soon as an address in reply to the speech of His Honor the Lieutenant-Governor shall have been voted; and that the member so elected—if he is present in his seat—do preside over all Committees of the Whole, Committees of Supply and Ways and Means included, conformably to the rules and usages regulating the duties of the officer generally designated under the name of Chairman of the Committee of Ways and Means in the House of Commons of the United Kingdom of Great Britain and Ireland. That the member so elected Chairman of Committee shall continue to act in that capacity until the dissolution of the Legislature for which he was elected, and that

in case of vacancy from death, resignation or otherwise the House shall forthwith proceed to elect his successor.

Whereas it is expedient to put said resolution into effect, and to provide for the appointment of such Chairman of Committees as Deputy Speaker.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 113 of the Revised Statutes is replaced by the R. S. Q., 113, following : replaced.

“ **113.** 1. Whenever the Speaker of the Legislative Assembly, Deputy in from illness or other cause, finds it necessary to leave the chair place of during any part of the sittings of the said House, on any day, Speaker if he he may call upon the Chairman of Committees, or, in his ab- leaves chair, &c. sence, upon any member of the House, to take the chair and to act as Deputy Speaker during the remainder of such day, unless he himself resumes the chair before the close of the sittings for that day.

2. Whenever the Legislative Assembly is informed by the clerk of the unavoidable absence of the Speaker, the Chair- Or if Speaker man of Committees, if present, shall take the chair and shall unavoidably perform the duties and exercise the authority of Speaker absent, &c. in relation to all the proceedings of the House, as Deputy Speak- Proviso. er, until the meeting of the House on the next sitting day, and so on from day to day on the like information being given to the House until the House otherwise orders; provided that if the House adjourns for more than twenty-four hours, the Deputy Speaker shall continue to perform the duties and exercise the authority of Speaker for twenty-four hours only after such adjournment.

3. If, at any time during a session of the Legislature, the Speaker is temporarily absent from the House, and a Deputy Speaker Proceedings, during such absence performs the duties and exercises the &c., as valid authority of Speaker, as hereinbefore provided, or pursuant to as if Speaker present. the standing orders or other order, or a resolution of the House, every act done and proceeding taken in or by the House in the exercise of its powers and authority, shall be as valid and effectual as if the Speaker himself was in the chair.

4. Every act done, and warrant, order or other document Acts, &c., of issued, signed or published by such Deputy Speaker in relation Deputy Speaker of to any acts or proceedings of the House, or which under any same effect statute would be done, issued, signed or published by the as if by Speaker. Speaker if then able to act, shall have the same effect and validity as if the same had been done, issued, signed or published by the Speaker for the time being.”

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 18

## An Act to amend the Quebec Election Act, 1903

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

3 Ed. VII, c. 9, s. 87, amended.     **1.** Article 87 of the act 3 Edward VII, chapter 9, is amended, by striking out all the words after the word "printed", in the twelfth line.

Coming into force.     **2.** This act shall come into force on the day of its sanction.

## CHAP. 19

## An Act to amend the Quebec License Law

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

63 V., c. 12, s. 19, amended.     **1.** Article 19 of the act 63 Victoria, chapter 12, is amended:

*a.* By replacing the word : "eight" in the fourth line by the word "fifteen."

Application, &c., open to inspection, &c.     *b.* By inserting therein after the word : "days" in the fourth line the words : "and in the meantime the application and certificate shall be open to inspection and examination by every interested party in the manner prescribed by article 164 of the Municipal Code."

Id., s. 20, amended.     **2.** Article 20 of the said act, as amended by section 2 of the act 3 Edward VII, chapter 13, is further amended by replacing the word "seven," in the third line of the second clause, by the word : "fourteen."

Id., s. 21, amended.     **3.** Article 21 of the said act is amended by adding after the words : "the same" in the fourth line, the words : "and if the notice mentioned in article 20 has been duly given."

**4.** Article 23 of the said act as amended by the act 3 Id., s. 23, Edward VII, chapter 13, section 3, is further amended by <sup>amended.</sup> replacing the word "may" in the third line by the words "shall, if the same is proved to his satisfaction."

**5.** Article 25 of the said act, as amended by the acts 1 Id., s. 25, Edward VII, chapter 11, section 1; 2 Edward VII, chapter 13, <sup>amended.</sup> s. 4; and 5 Edward VII, chapter 13, sections 6 to 11, both inclusive, is further amended :

a. By replacing the words : "two dollars in stamps affixed to such form, if in the city of Montreal, and seven dollars if in the city of Quebec", in the third and fourth lines of paragraph 8, by the words : "seven dollars in stamps affixed to the said form in each of the cities of Montreal and Quebec" ;

b. By adding, after the word : "association", in the second line of paragraph 14, the words : "whether incorporated or not" ;

c. By repealing paragraph 19 ;

d. By adding thereto the following paragraphs :

"26. Whenever the license commissioners in either of the cities of Montreal and Quebec refuse to confirm any license certificate, or if any license is cancelled by a judgment of a court or becomes null under the provisions of article 141, such refusal, cancellation or nullity of the certificate or license, as the case may be, shall have the effect of reducing for the future by one, in each case, the number of licenses in each of the said cities, subject to the provisions contained in article 28."

"27. Any license certificate granted before the first day of May of the license year for which such certificate is confirmed, may be revoked and cancelled by the license commissioners at any time between the date of its confirmation and the said first of May, by reason of acts committed between the said dates by the person in whose favor such certificate was confirmed. The license commissioners shall notify the collector of provincial revenue of such cancellation, who, upon such notification, shall refuse to issue the license."

**6.** The following article is added after article 26 of the said act as amended by the acts 2 Edward VII, chapter 13, section 5, and 6 Edward VII, chapter 9, section 5 : <sup>Id., s. added after s. 26.</sup>

"**26a.** The municipal police force in every city of the Province shall see to the carrying out of the provisions of this law and to the strict observance thereof. The chief of the said police in all cities and towns other than the cities of Quebec and Montreal shall report without delay to the collector of provincial revenue of the district, any violation of the said <sup>Municipal police to carry out act.</sup>

Report to  
collector, &c,  
of violations  
of law.

law, and the collector shall forthwith prosecute the offenders. In each of the cities of Quebec and Montréal, the chief of the municipal police force shall without delay report any violation of the said law to the license commissioners, who shall also report from time to time to the Provincial Treasurer upon the manner in which the said law is observed and upon the conduct of the municipal police officers in respect thereof."

Id., s. 28,  
replaced.

7. Article 28 of the said act, as replaced by the act 7 Ed-ward VII, chapter 11, section 2, is again replaced by the following :

Limit of  
hotel licenses  
in Montreal,  
as on Jan-  
uary 1st,  
1905.

"28. 1. Within the limits of the city of Montreal, as they existed on the first day of January, 1905, the number of hotel and restaurant licenses is for the present limited to a maximum of four hundred ; in St. Henry ward of the city of Montreal, to a maximum of thirty-one, and in Ste. Cunégonde ward of the city of Montreal, to a maximum of twenty-three.

S. 25, par. 26,  
how to apply  
in Montreal.

Within the limits of the city of Montreal, as existing on the first day of May, 1908, the provisions of paragraph 26 of article 25 shall apply in such wise as to gradually reduce the number of hotel and restaurant licenses therein to four hundred.

Limit of  
hotel licenses  
in Quebec as  
on May 1st,  
1909, &c.

2. Within the limits of the city of Quebec as they will exist on the first day of May, 1909, the number of such licenses shall be reduced to one hundred for the license year commencing on the said date, either through the gradual cancelling of licenses by judgment of a court or otherwise, and from and after the first of May, 1909, the number shall be gradually reduced by reason of the cancellation of licenses by judgment of a court in cases of violation of this law or by reason of the application of article 141, until there is not more than one such license to every thousand souls of the population of the said city ; and this proportion shall be adhered to thereafter.

Number of  
licenses in  
municipali-  
ties annexed  
to Montreal.

3. In the event of the annexation to the city of Montreal, of any of the neighboring municipalities, the number of licenses in force in such annexed municipalities at the time of the annexation, shall be added to the number of licenses fixed by the preceding clauses of this article for the said city of Montreal, but so that the number of licenses so in force in each annexed municipality shall be maintained, after the annexation, in the territory previously belonging to the municipality. The provisions of this paragraph apply to St. Henry and Ste. Cunégonde wards of the city of Montreal, and to all other municipalities annexed, or which may be annexed, to the city of Montreal, subject, however, to any general reduction which may be made in the future in the number of licenses in the said city.

St. Henry  
and Ste. Cu-  
négonde  
wards in-  
cluded.

4. In the city of Three Rivers, the number of such licenses is limited to a maximum of twelve ; in the city of Valleyfield, to a maximum of ten ; in the city of St. Hyacinthe, to a maximum of twelve ; in the town of Maisonneuve to a maximum of twenty-four ; in the town of Lachine, to a maximum of nine ; in the city of Sorel, to a maximum of twelve ; in the town of Iberville, to a maximum of four ; in the city of Sherbrooke, to a maximum of fifteen ; in the town of Farnham, to a maximum of five ; in the town of Shawinigan Falls to a maximum of five ; in the town of Grand'Mère, to a maximum of six for the license year commencing the first of May, 1908, and for all license years thereafter to one license for every thousand souls of the population ; in the city of Hull, to a maximum of fourteen hotels and no restaurant ; in the town of St. Johns the number of hotel and restaurant licenses existing on the first of May, 1908, is to be gradually reduced to ten, as the number is decreased from time to time owing to the cancelling of licenses by judgment of a court for violations of this law ; and these numbers shall not be exceeded thereafter in such a way as to give more than one such license for every thousand souls of the population of each of the said cities and towns, and this proportion shall be adhered to thereafter.

5. As the number of hotel and restaurant licenses in the cities and towns mentioned in this article is gradually reduced, the duty on such licenses shall in each such city and town be proportionately increased by the Lieutenant-Governor in Council, so that the total revenue derived therefrom shall not be less than before such reduction."

8. Article 32 of the said act is amended by inserting after the word : " no ", in the first line, the words : " applicant for a hotel, restaurant or liquor shop license certificate and no."

9. The following article is added after article 38a of the said act, as enacted by the act 7 Edward VII, chapter 11, section 3 :

" 38b. No steps or proceedings tending towards the transfer of any hotel or restaurant license, shall be taken during the period between the issue of the summons or warrant and the rendering of the judgment in any prosecution instituted against the holder of such license for any violation of any of the provisions of this act. If such steps or proceedings be already in progress when such prosecution is instituted, they shall immediately be discontinued until after judgment has been rendered ; and if the court, in pronouncing judgment, cancels the license of the offender, any transfer or steps or proceedings tending towards the transfer to another person of such cancelled license shall be null and void."

Id., s. 39,  
amended.

Application  
for restau-  
rant license  
must be *bona*  
*fide*, &c.

**10.** The first clause of article 39 of the said act is amended by inserting after the word "Montreal" in the fourth line the words : "and no restaurant license certificate shall be granted unless the license commissioners or the city or town council, as the case may be, are convinced that the applicant will keep a *bona fide* restaurant and that such restaurant is required at the place indicated in the application."

Id., s. 47a,  
amended.

**11.** Article 47a of the said act, as enacted by the act 5 Edward VII, chapter 13, section 21, and amended by the acts 6 Edward VII, chapter 9, section 12, and 7 Edward VII, chapter 11, section 5, is further amended by adding after the words : "article 36" in the sixth line of the first clause the words : "but no such transfer shall be granted in any case within the purview of article 141a."

Id., s. 48, par.  
1, amended.

**12.** The first paragraph of article 48 of the said act, as replaced by the act 5 Edward VII, chapter 13, section 22, and amended by the act 6 Edward VII, chapter 9, section 13, is further amended :

a. By replacing the words : "the preceding article", in the eighth line, by the words : "article 47;"

Distillers'  
Licenses.

b. By inserting after the word "villages" in the twelfth line the words : "but wholesale liquor licenses taken out by distillers are issued simply upon payment of the required duties and fees."

Id., s. added  
after s. 84b.

**13.** The following article is added after article 84b, of the said act as enacted by the act 6 Edward VII, chapter 9, section 23, and amended by the act 7 Edward VII, chapter 11, section 12 :

Mail drivers  
not to bring  
intoxicants  
into certain  
municipali-  
ties, &c.

**"84c.** No mail driver shall bring any intoxicating liquor into any municipality in which a prohibitory by-law is in force or where there is no person licensed to sell such liquors ; and every person offending against this article incurs, for the first offence, a fine of twenty dollars, and in default of payment, imprisonment for one month ; and for the second and every subsequent offence, a fine of fifty dollars, and in default of payment, imprisonment for three months."

Id., s. added  
after s. 94.

**14.** The following article is added after article 94 of the said act, as amended by the act 5 Edward VII, chapter 13, section 33 :

Certain li-  
censees not  
to cash pay  
checks, &c.

**"94a.** Every person holding either a hotel or a restaurant license, who cashes or exchanges for money, any employer's certificate of wages or pay check, incurs for each offence a fine of twenty dollars, and in default of payment, imprisonment for one month."



**15.** Article 100 of the said act is amended by inserting after *Id.*, s. 100, the word : " thereof ", in the third line, the words : " for the <sup>amended.</sup> purpose of selling the same."

**16.** The following article is added after article 101 of the *Id.*, s. added after s. 101.  
said act :

" **101a.** Any person not being the holder of a bottler's <sup>Itinerant</sup> license, who goes from town to town or from house to house, <sup>liquor selling</sup> taking with him any stock of intoxicating liquor, whether in a <sup>forbidden,</sup> &c. <sup>&c.</sup> waggon or by any other mode of transportation, for the purpose of selling such liquor upon the highway or upon any private grounds or in any building, shall incur for each offence, a penalty of fifty dollars and the confiscation of the said liquors and vessels and of the horse and vehicle if there be one.

The collector of provincial revenue of the district in which <sup>Seizure of</sup> the offence is committed, or any person thereto authorized by <sup>liquor so</sup> him in writing, may seize and hold the said liquor and the horse <sup>sold, &c.</sup> and waggon, without warrant, pending the judgment of the court respecting them.

The judgment inflicting the penalty shall order the confisca- <sup>Confiscation</sup> tion of the effects so seized, which shall be sold as provided by <sup>thereof by</sup> the second paragraph of article 101. <sup>judgment.</sup>

The finding of intoxicating liquor in the circumstances <sup>Presumption</sup> described in the first paragraph of this article, shall be a pre- <sup>as to intent</sup> sumption that it is being transported for purposes of sale, and <sup>to sell, &c.</sup> proof of anterior facts may be adduced at the trial in support of such presumption."

**17.** The following article is added after article 109 of the *Id.*, s. added after s. 109.  
said act :

" **109a.** With the exception of restaurants in which more <sup>How certain</sup> than fifty *bonâ fide* meals are served daily and which the license <sup>restaurants</sup> commissioners or the city or town council, as the case may be, <sup>to open on</sup> shall see fit to exempt from the provisions of this article no <sup>street, &c.</sup> restaurant shall have any door communicating with the street or highway unless each such door opens directly into the bar-room."

**18.** Article 121 of the said act, as replaced by the act 1 *Id.*, s. 121, Edward VII, chapter 11, section 7, and amended by the act <sup>amended.</sup> 5 Edward VII, chapter 13, section 37, is further amended by adding after the word : " Sunday ", in the sixth line of the first paragraph, the words : " and of Christmas Day, New Year's Day and Good Friday."

**19.** Article 122 of the said act, as replaced by the act 1 *Id.*, s. 122, Edward VII, chapter 11, section 8, is amended by adding after <sup>amended.</sup> the word : " Sunday ", in the fifth line, the words : " and of Christmas Day, New Year's Day and Good Friday."

Id., s. added after s. 136. **20.** The following article is inserted in the said law after article 136 :

Forfeiture of license in certain case. **" 136a.** Every holder of a license who makes use of intoxicating liquor to such a degree as to attract public attention, or who is frequently seen in public in a state of intoxication shall, for such offence, incur the forfeiture of his license."

Id., s. 137, amended. **21.** Article 137 of the said act, as amended by the acts 5 Edward VII, chapter 13, section 40, and 6 Edward VII, chapter 9, section 28, is further amended by adding at the end of the first paragraph thereof the following words : " But upon the conviction for a third offence of any holder of a restaurant license, his license shall forthwith be cancelled."

Id., s. added after s. 159. **22.** The following article is added after article 159b of said act as enacted by the act 6 Edward VII, chapter 9, section 33:

Bottler not to carry liquors not allowed by license, &c. **" 159c.** No bottler licensed as such under this law, shall carry in his vehicle any intoxicating liquors other than those allowed by his license, and every bottler so doing, incurs for each offence a fine of fifty dollars and the confiscation of his entire stock together with the horse and vehicle, all of which may be seized without a warrant by any collector of provincial revenue or any other person thereto authorized in writing by a collector of provincial revenue. The effects so seized shall be placed in the care and possession of the collector of provincial revenue for the district in which the seizure has been made, to await the judgment of the court respecting them. The effects so confiscated shall be sold in the manner prescribed by article 101."

Id., s. 169, amended. **23.** Article 169 of this act is amended by adding thereto the following paragraph :

One justice may act in certain cases. **" For the purposes of this article, everything necessary to the carrying out of the provisions of this act respecting the prosecution of offenders, including the signing of summonses and warrants and the granting of adjournments, may be done by one justice of the peace, save as respects the hearing and the judgment, which are governed by the provisions of articles 198 to 202b both inclusive."**

Id., s. 171 amended. **24.** Article 171 of the said act is amended by adding thereto the following paragraph :

How summons served in certain cases. **" Nevertheless in cases in which the defendant evades service of the summons, and also in all cases of occupants of buildings situate on the boundary line between this Province and the United States of America, the judge, magistrate, or justice of the peace may, upon a return to that effect, prescribe whatever mode of service he deems proper."**

**25.** The following article is added after article 182 of the *Id.*, s. added after s. 182.  
said act :

" **182a.** Whenever any person is prosecuted and condemned to a fine or to imprisonment for any infraction of the provisions of the first part of this act, if, in the course of such prosecution, it be ascertained that the liquor sold by such person is of bad quality and unfit for consumption, the amount of the fine or the length of the imprisonment to which such person would otherwise have been condemned for such offence, shall be doubled." Double punishment in certain cases.

**26.** The following articles are added after article 202 of the *Id.*, s. added after s. 202.  
the said act :

" **202a.** Whenever a judge, magistrate, recorder or justice of the peace who has heard a cause, is unable, on account of illness, absence or other cause, to pronounce judgment in person, he may transmit the draft of the judgment, certified by him, to the clerk of the court or of the magistrate, recorder, justice or justices of the peace, with instructions to record such judgment, and to read it or to give communication of it on demand to the parties or to their attorneys, on the day which he fixes for that purpose." Recording judgment in absence of judge, &c.

The clerk, on receiving the draft of judgment and the instructions accompanying it, shall conform to such instructions, and the judgment so enregistered has the same effect as if it had been rendered by the judge, magistrate, recorder or justice of the peace during the sitting of the court." Effect of registration of judgment, &c.

" **202b.** Every condemnation under this act shall, within fifteen days from the date of the judgment, be reported to the Provincial Treasurer by the clerk of the court before which the action was taken under a penalty of twenty dollars." Report of judgment to Provincial Treasurer, &c.

**27.** Article 203 of the said act is amended by replacing the third line of sub-paragraph c of the second paragraph by the following : Id., s. 203, amended.

" When witnesses are examined, \$10.00."

**28.** The following article is added after article 205 of the *Id.*, s. added after s. 205.  
said act :

" **205a.** The Lieutenant-Governor in Council may modify from time to time, as he may see fit, the tariff contained in articles 203 and 205 of this act." Modification of tariffs.

**29.** Article 297 of the said act is amended by inserting after the word " contravention ", in the fifth line, the words : Id., s. 207, amended.

" And the judgment inflicting such penalty shall order the Confiscation

of license, lent, &c.      confiscation of the license so lent or trafficked with, which shall forthwith be cancelled by the collector of provincial revenue."

Id., s. 341*k*, amended.      **30.** Article 341*k* of the said act, as enacted by the act 6 Edward VII, chapter 9, section 50, is amended by replacing the words "incurs the penalty enacted in article 341*f* for each contravention," in the fourth and fifth lines, by the words "incurs a fine of not more than one thousand dollars and not less than five hundred dollars for each offence."

Id., s. 341*l*, replaced.      **31.** Article 341*l* of the said act, as enacted by the act 6 Edward VII, chapter 9, section 50, is replaced by the following :

Non-resident broker to show license, &c.      " **341*l*.** 1. Every non-resident broker shall show his license to any collector of provincial revenue or to any person thereto authorized in writing by a collector of provincial revenue, and, in default of so doing, such person shall be held to have no license and is punishable accordingly.

And not to lend license.      2. No non-resident broker licensed as aforesaid, shall lend his license to another person under a penalty of three hundred dollars for each offence."

Id., s. 342, div. III, replaced.      **32.** Division III of article 342 of the said act, as amended by the act 6 Edward VII, chapter 9, section 52, is replaced by the following :

#### " III--PEDDLER'S LICENSES

Duties on peddlers' licenses.      On each license for a peddler, fifty dollars ; but any peddler taking out a license for either of the revenue districts of Quebec and Montreal, who wishes to peddle within the limits of the City of Quebec or of the city of Montreal, as the case may be, shall pay a further duty of one hundred and fifty dollars.

And on peddlers' vehicles.      For peddlers' vehicles: For one vehicle fifty dollars ; for each additional vehicle ten dollars."

Coming into force.      **33.** This act shall come into force on the first day of May, 1908.

## CHAP. 20

## An Act to amend the act respecting Motor Vehicles

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Section 4 of the act 6 Edward VII, chapter 13, is amended by inserting before the word "the" in the first line, the words; 6 Ed. VII, c. 13, s. 4, amended.  
 "Subject to the provisions of section 38 of this act."

**2.** The following section is added after section 6 of the said act : Id., s. added after s. 6.

"**7.** Section 2 of this act shall apply to the owner or the operator of a motor vehicle, who does not reside in Canada." S. 2 to apply to foreign owners, &c.

**3.** Section 19 of the said act is replaced by the following : Id., s. 19, replaced.

"**19.** 1. Subject to the provisions contained in this section, prosecutions under this act before the Circuit Court or the District Magistrate's Court, shall be taken by ordinary action. Certain prosecutions how taken.

2. Prosecutions under this act before a justice of the peace, shall be governed by part XV of the Criminal Code. Procedure.

3. In all prosecutions or actions brought before the Circuit Court or District Magistrate's Court, the fees of the clerk of such court, of the advocate and of the bailiff, shall be the same as those which are allowed in the tariff of fees for third class actions in the Circuit Court. Fees in certain prosecutions, &c.

In prosecutions before a justice of the peace, the fees shall be those allowed by the tariffs made by the Lieutenant Governor in Council under the authority of article 2478 of the Revised Statutes. And in certain other prosecutions.

"**19a.** 1. All legal proceedings instituted to recover any license fee or registration fee due to the Crown by virtue of this act, shall be taken in the name of any collector of provincial Revenue. Certain legal proceedings by whom to be taken.

2. Legal proceedings instituted for the violation of any of the provisions of this act or of any of the regulations made thereunder, may be taken in the name of any collector of provincial revenue, or of the corporation or council of the city, town or local municipality in which the offence was committed, and not otherwise, saving always the provisions of section 30." Certain other proceedings by whom to be taken.

Id., s. 28,  
amended.

**4.** Section 28 of the said act is amended by adding thereto the following words : " or the interse tion of two streets, or when coming out into a street or highway from any garage, yard or private grounds."

Id., s. 29,  
amended.

**5.** Section 29 of the said act is amended by replacing the words " hereinafter provided in case of refusal " in the sixth and seventh lines by the words " prescribed by section 18 of this act."

Id., s. 30,  
amended.

**6.** Section 30 of the said act is amended by striking out all the words after the word " damages " in the third line."

Id., s. 32,  
amended.

**7.** Section 32 of the said act is amended by replacing the word " registered " in the third line, by the word " licensed,"

Id., s. 33,  
amended.

**8.** Section 33 of the said act is amended by replacing the word " registered " in the first line by the word " licensed."

Id., s. 37,  
amended.

**9.** Section 37 of the said act, as amended by section 7 of the act 7 Edward VII, chapter 16, is further amended by striking out all the words after the word " testimony " in the sixth line.

Id., s. 38,  
amended.

Certain regu-  
lations by  
Lieut.-Gov.  
in Council.

**10.** Section 38 of the act 6 Edward VII, chapter 13, is amended by adding after the word " act " in the fourth line, the words : " and may make regulations regarding the issue, renewal and transfer of licenses and certificates, the mode and time of payment of fees, the furnishing to operators and chauffeurs of plates of board, rubber or other material upon which the large number of the vehicle shall be displayed, and the size, shape and color of the same, together with the fees exigible for such plates."

Id., s. 40,  
amended.

**11.** Section 40 of the said act, is amended by inserting, after the word " act " in the first line, the words " and all penalties recovered thereunder."

Coming into  
force.

**12.** This act shall come into force on the day of its sanction.

## CHAP. 21

## An Act to amend the Revised Statutes respecting Stamps

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Article 1161 of the Revised Statutes, as amended by the act R.S.Q., 1161, 52 Victoria, chapter 14, section 2, is repealed. repealed. .

**2.** Article 1162, of the said statutes as amended by the act Id., 1162, 52 Victoria, chapter 14, section 2, is replaced by the following : replaced.

**" 1162.** It shall be lawful for the Lieutenant-Governor in Appointment Council to appoint any person or persons, for the sale of stamps of stamp in any locality, with such remuneration and under such conditions as he may determine. sellers, &c.

**3.** Article 1163 of the said statutes is replaced by the following : Id., s. 1163,

**" 1163.** The persons so appointed to sell stamps, shall be replaced. bound, at all times, to keep on hand such a supply of stamps, Duties of during the period of their appointment, as may be reasonably such persons, expected to be required of them, and shall be bound to sell them to all persons who may demand the same, upon payment to them of the value of such stamps ; and in case of any violation of any duty imposed by this article, they shall forfeit, as Penalty. a penalty to His Majesty, a sum not exceeding twenty dollars, and shall further be liable for the damages sustained by any person through such violation of duty. .

**4.** Article 1164 of the said statutes, is amended by repeal- Id., 1164, ing all the words following the word " thereof ", in the ninth amended. line.

**5.** Article 1169 of the said statutes is amended by repealing Id., 1169, all the words following the word " section ", in the third line. amended.

**6.** This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 22

An Act to amend article 1210 of the Revised Statutes respecting Marriage License Fees

[Assented to 14th April, 1908]

**H**IS Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 1210, replaced.      **1.** Article 1210 of the Revised Statutes is replaced by the following :

Moneys how applied.      “ **1210.** The sums so paid over to the Provincial Treasurer shall be applied in accordance with the provisions of section 450 of the act 62 Victoria, chapter 28.”

Coming into force.      **2.** This act shall come into force on the day of its sanction.

## CHAP. 23

An Act to amend the law respecting the labour of prisoners

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 1224, replaced.      **1.** Article 1224 of the Revised Statutes is replaced by the following :

Employment of certain prisoners within or without gaols, &c.      “ **1224. 1.** The Lieutenant-Governor in Council may, from time to time, direct or authorize the employment, upon any specific work or duty, within or without the limits of any common goal, of any prisoner who, after a prior sentence of imprisonment for any breach of any law of Canada or of any Province, is sentenced to be imprisoned, with hard labor, in such goal, for breach of the laws of Canada or of this Province, or for the breach of the by-laws of any municipal corporation in this Province.

Proviso re first offenders.      **2.** First offenders are also governed by paragraph 1 of this article, provided that the specific work or duty be done or performed within the limits of the goal.

Work by prisoners not condemned to hard labour.      **3.** Prisoners condemned to imprisonment, by judgments which make no mention of hard labor, may also do or perform the specific work or duty mentioned in paragraph 1 of this



article provided they consent thereto and that the gaoler sees no objection."

2. Article 1229 of the Revised Statutes is amended by Id., 1229, adding thereto the following : " but if an offender who is con- amended. demned to imprisonment for any offence, has a wife or a wife Payment of wages to and children dependent on him for their livelihood, the wages wife, &c., of earned by such prisoner, shall be paid by the sheriff to the certain prisoners. wife or to the wife and children, as the case may be. "

3. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 24

An Act to amend the law respecting Public Lands

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Articles 1282a and 1282b of the Revised Statutes, as R. S. Q., enacted by the act 4 Edward VII, chapter 13, section 11, are 1282a, 1282b, repealed.

2. Persons who have bought Crown lands, under the provisions of articles 1282a and 1282b of the Revised Statutes, Certain declarations need not be produced in certain cases, repealed by the preceding section, shall not be bound hereafter to produce the declaration mentioned in article 1282a, but &c. shall not in consequence thereof be relieved from the performance of the other conditions of sale, to be performed by them each year, in virtue of their location tickets.

The sale effected in the past, by means of a location ticket, Certain sales to a person who has not filed the declaration mentioned in the declared valid, &c. said articles 1282a and 1282b, or who, after filing such declaration, has not set forth therein that the conditions of the location ticket have been fulfilled, is declared valid, if the Department has not been notified by the agent that the sale has become null; but such sale may be cancelled by the Minister under article 1283 of the Revised Statutes.

3. Article 1283 of the Revised Statutes, as replaced by the R. S. Q., 1283, act 4 Edward VII, chapter 13, section 12, is amended by re-amended. placing the word " shall ", in the tenth line, by the word " may. "

R.S.Q., 1284, **4.** Article 1284 of the said Statutes, as replaced by the act amended. 4 Edward VII, chapter 13, section 13, is amended by replacing all the words up to and including the word "thereof", in the second line, by the words :

"**1284.** The preceding article shall be interpreted as giving to the cancellation made in virtue thereof."

R.S.Q., 1288, **5.** Article 1288 of the Revised Statutes as enacted by the amended. act 4 Edward VII, chapter 13, section 14, is amended by replacing the word "twenty" in the first line by the word "thirty".

Id., s. inserted after s. 1298. **6.** The following article is inserted in the said Statutes, after article 1298 :

Certain certificate under oath, &c. "**1298a.** The Minister may require that the certificate of the performance of the conditions of settlement, requisite for the obtaining of letters patent of a lot acquired from the Crown, shall be given under oath by the persons chosen by the Minister to give such certificate, and according to the form supplied by the Minister."

Id., art. 1304, **7.** Articles 1304 and 1305 of the said Statutes, as replaced 1305, re- by the act 4 Edward VII, chapter 13, section 17, are again placed. replaced by the following :

Setting aside, &c., of letters patent. "**1304.** Letters patent granted by the Crown may be declared null or set aside by the Superior Court for the causes and in the manner prescribed by the Code of Civil Procedure."

Id., art. inserted after art. 1339. **8.** The following article is inserted in the Revised Statutes after article 1339, as enacted by the act 6 Edward VII, chapter 15, section 4.

Certain lands that may be included in forest reserves, &c. "**1339a.** The Lieutenant-Governor in Council may also include in such forest reserves, either at the request of the owner or not, all or some of the lands granted as subsidies in aid of the construction of railways; and so long as the said lands shall remain in such forest reserve, their owners shall not be obliged to sell them and shall not sell them, either wholly or in part for colonization purposes without the consent of the Lieutenant-Governor in Council."

Id., art. 1343d, re-pealed. **9.** Article 1343d of the said Statutes, as replaced by the act 4 Edward VII, chapter 13, section 21, and amended by the act 7 Edward VII, chapter 37, section 1, is repealed.

Certain transfers declared valid, &c. **10.** Transfers made by the first acquirer of land from the Crown, or his representatives, mentioned in article 1275a of the Revised Statutes and in section 10 of the act 4 Edward

VII, chapter 13, which were filed in the Department of Lands and Forests, after the delays mentioned in the act 5 Edward VII, chapter 16, sections 6 and 7, before the repeal of the said article 1275a and of section 10 of the act 4 Edward VII, chapter 13, or which shall be so filed after the coming into force of this act, if in all respects regular, are and shall be declared valid and shall have the same effect as if they had been transmitted in due time.

- 11.** This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 25

### An Act to amend the Quebec Game Laws

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Article 1399 of the Revised Statutes, as enacted by the R.S.Q., 1399, act 62 Victoria, chapter 24, section 1, and amended by the acts amended.  
2 Edward VII, chapter 14, section 1 ; 3 Edward VII, chapter 23, section 2, and 6 Edward VII, chapter 19, section 2, is again amended by replacing paragraph 1 by the following :

“ 1. Any beaver at any time until the first day of November 1910, in Zone No. 1, and thereafter between the first day of Killing of  
beaver in  
Zone No. 1. April and the first day of November of each year.”

**2.** Article 1400 of the Revised Statutes, as enacted by the Id., s. 1400, act 62 Victoria, chapter 24, section 1, and amended by the acts amended.  
1 Edward VII, chapter 12, section 2 ; 2 Edward VII, chapter 14, section 2 ; 3 Edward VII, chapter 23, section 3 ; and 6 Edward VII, chapter 19, section 3, is further amended by inserting after the word “kind” in the first line of paragraph b, the word “except”.

**3.** Article 1400a of the Revised Statutes, as enacted by the Id., 1400a, act 1 Edward VII, chapter 12, section 3, and replaced by the replaced.  
acts 3 Edward VII, chapter 23, section 4 and 6 Edward VII, chapter 19, section 4, is again replaced by the following :

“ **1400a.** It is forbidden to buy or sell, expose for sale or Buying, &c.,  
of certain  
partridge,  
forbidden,  
&c. have in possession with intent to sell, any birch or swamp Certain de- partridge before the first day of October, 1910.

Every delivery of any such birch or swamp partridge, other-

liveries, are sales, &c.

wise than by purely gratuitous title, constitutes a sale, and every acceptance of such partridge otherwise than by purely gratuitous title, constitutes a purchase, within the meaning of this article.

Burden of proof in certain cases.

If any such partridge be found in the possession of any dealer, or of any person who sells or keeps for sale any produce or commodities, the proof that such dealer or person has not such partridge in his possession with intent to sell, falls upon such dealer, or person in possession of the same.

Penalties.

Every infraction of the provisions of this article shall render the person guilty thereof liable, for a first offence to a fine, not exceeding two dollars and not less than one dollar and costs, for each partridge ; for a second offence, to a fine not exceeding ten dollars and not less than five dollars, for each partridge; and for a third and subsequent offence the same fine as for a second offence and imprisonment for not less than thirty days nor more than three months, with costs in all cases."

Id., 1401a, amended.

4. Article 1401a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is amended by adding the following paragraph thereto :

Declaration in certain cases.

"Nevertheless, in the case of moose, caribou, or deer, the proprietor, possessor or lessee shall be bound to produce within the fifteen days following that on which he has hunted, taken or killed one of such animals, a solemn declaration to the Minister of Colonisation, Mines and Fisheries, establishing that such animals were causing or that there was serious danger of their causing damage to moveable or immoveable property."

Id., art. added after 1402c.

5. The following article is inserted in the Revised Statutes, after article 1402c, as enacted by the act 6 Edward VII, chapter 19, section 8 :

Certain persons liable for game offences of their men.

"1402d. Heads of lumbering establishments, and contractors and sub-contractors engaged in lumbering operations, shall be held responsible for all offences against the game laws respecting moose, caribou and deer, committed by men under their control.

Proviso.

Nevertheless such responsibility shall not be incurred if the person subject thereto proves that he was unable to prevent the acts complained of."

Id., 1407, replaced.

6. Article 1407 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, and replaced by the act 6 Edward VII, chapter 19, section 12, is again replaced by the following :

Penalty for having in possession confiscated articles.

"1407. Every person found guilty of having had or having actually in his possession or keeping or under his care any articles so confiscated or liable to be so, shall in each case be liable to a fine of not less than twenty-five dollars, but

not more than two hundred dollars, for the first offence ; of not less than fifty dollars and not more than five hundred dollars for the second offence and, in default of immediate payment, to imprisonment for not less than one month and not more than one year in the common gaol of the district within the limits whereof the offence was committed or the seizure or confiscation was effected, with costs in all cases.

Such fine shall be disposed of as provided by article 1410. Disposal of fine.

**7.** Article 1410 of the Revised Statutes, as enacted by the Id., s. 1410, act 62 Victoria, chapter 24, section 1, and replaced by the act amended. 6 Edward VII, chapter 19, section 16, is amended by adding the following paragraph thereto :

“ The heads of lumbering establishments, contractors and Article to sub-contractors engaged in lumbering operations mentioned in apply to cer- article 1402d come under this article to the extent therein in- tain persons. dicated.”

**8.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 26

An Act for the prevention and treatment of contagious diseases  
in bees

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** The Minister of Agriculture, whenever he has reason to believe that any contagious disease or diseases, infects or infects Inspection of apiaries in certain cases. certain apiaries, may appoint a competent person to inspect such apiaries, and to subject the bees therein, to suitable treatment. L. I

**2.** The said Minister shall appoint such inspector for a specified time, and may allow him a salary of not more than five dollars per day, together with his actual disbursements and travelling expenses. Appointment and salary, &c., of inspector.

**3.** The salary and disbursements and travelling expenses of such inspector, while in office, shall be payable by the Minister of Agriculture, out of the sum of fifty thousand dollars appropriated yearly for the payment of the grant to agricultural Salary, &c., how paid.

societies and farmer's clubs, under articles 1667 and 1671 of the Revised Statutes.

Visits and  
reports of  
inspector.

4. The inspector, when required so to do by the Minister of Agriculture, shall forthwith visit the apiary or apiaries indicated to him, and shall report to him as to the sanitary condition thereof in such manner and form as may be prescribed.

Treatment,  
&c., of bees,  
&c., in cer-  
tain cases.

5. When a contagious disease has been discovered in an apiary, the Minister of Agriculture shall cause to be taken the measures necessary to subject the bees in said apiary to appropriate treatment, and, if necessary, he may order the bees affected, the hives occupied by them and all the accessories thereof which cannot be effectually disinfected, to be destroyed in presence of the inspector.

Destruction  
of hives, &c.,  
if inspector's  
orders not  
obeyed..

6. If the proprietor or possessor of an apiary infected by a contagious disease, does not obey the orders which he receives for the treatment of sick bees, the Minister of Agriculture may order the destruction of the hives and of the bees and of all accessories thereof which cannot be effectually disinfected.

Owner, &c.,  
indemnified  
for hives, &c.,  
destroyed.

7. 1. When the destruction of hives, bees, or accessories, is deemed necessary by the Minister, he shall indemnify the proprietor or possessor thereof, or both, as the case may be, upon an equitable basis, which shall be left to his discretion.

Proviso.

2. Nevertheless, in the case of section 6, the proprietor or possessor of the hives, bees and accessories. shall be entitled to no indemnity.

Offences and  
penalties.

8. 1. Every proprietor or possessor of hives, bees and accessories, who knowingly sells, exchanges or otherwise alienates, any infected hives, bees or accessories, and every person who exposes to the open air any infected frames, honeycombs or objects whatsoever, or who conceals the existence of any contagious disease or diseases with which his bees may be infected, or who prevents the inspector from performing his duties, is guilty of an offence, and, upon summary conviction thereof, before a police magistrate or justice of the peace having jurisdiction where the offence was committed, shall be liable to a fine of not more than twenty dollars for the first offence, and of not more than fifty dollars for every subsequent offence.

Prosecutions,  
how brought.

2. Prosecutions in virtue of this act, shall be brought, tried and decided in accordance with the provisions of part XV of the Criminal Code.

9. Before bringing any prosecution against any person whom he thinks guilty of an infraction of the law, the inspector shall cause this act to be read to such person before witnesses. Act to be read, &c., before prosecution.

10. The reports of the inspector shall be registered in the Department of Agriculture, and may be published by order of the Minister of Agriculture. Registration, &c., of inspectors' reports.

11. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 27

An Act to amend the law respecting stock-breeding syndicates

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 1675<sup>hhh</sup> of the Revised Statutes, as enacted by R. S. Q., the act 6 Edward VII, chapter 20, section 1, is replaced by the following : 1675<sup>hhh</sup> replaced.

“ **1675<sup>hhh</sup>**. The object of the syndicate is the breeding and improvement of farm stock ; it may purchase, hire, raise and sell thoroughbred stock, grant premiums for the keeping of brood animals, on the conditions prescribed by the board of directors, and purchase all products and implements connected with the raising, feeding and health of live stock.” Objects of syndicate.

2. Article 1675<sup>bbbb</sup> of the Revised Statutes, as enacted by Id., 1675<sup>bbbb</sup>, the act 6 Edward VII, chapter 20, section 1, is replaced by the following : replaced.

“ **1675<sup>bbbb</sup>**. 1. The general meeting consists of all the shareholders and appoints the directors and an auditor. General meeting.

A general meeting shall be held every year on the second Wednesday of January, at ten o'clock in the forenoon at a place to be indicated by the directors. Date and place thereof.

The first meeting may be convened at any time by two shareholders, by depositing in the post-office of the locality where the syndicate's place of business is situated, a notice in a sealed and registered envelope addressed to each shareholder, at least eight days before the said meeting. The first directors and an auditor shall be chosen at this meeting. First meeting how called &c.

2. General meetings shall afterwards be called by the president or, in his default, by the vice-president, by means of a

notice contained in a registered letter addressed to each shareholder and sent at least eight days beforehand."

Coming into force.

3. This act shall come into force on the day of its sanction.

## CHAP. 28

### An Act respecting Co-operative Agricultural Associations

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
1755a, &c.,  
replaced.

1. Section fourteenth of chapter seventh of title fourth of the Revised Statutes, as enacted by the act 52 Victoria, chapter 22, section 1, is replaced by the following :

#### " SECTION XIV

#### CO-OPERATIVE AGRICULTURAL ASSOCIATIONS

Formation of  
certain asso-  
ciations.

Their objects.

" **1755a.** The Minister of Agriculture may authorize the formation, in any municipality or parish of the Province, of an association having for its object one or more or all of the following :—the improvement and development of agriculture or of any of its branches, the manufacture of butter or cheese, or both, the sale and purchase of agricultural products, live stock, farm implements, commercial fertilizers and other articles useful to the agricultural classes, under such name and distinguishing title as its founders may choose, provided that such name as a whole cannot be confounded with that of any other existing association.

Members'  
declaration.

" **1755b.** The association shall consist of at least twenty-five persons, who shall sign a declaration according to form A of this section.

Association,  
a joint-stock  
company, &c.

" **1755c.** Each association shall be a joint-stock company, the responsibility of its members or shareholders being limited to the amount of their respective holdings.

Amount of  
shares, how  
payable.

" **1755d.** The amount of each share shall be ten dollars, payable in yearly instalments of one dollar :—the first on the day of subscription and the remainder from year to year at



the same date. A shareholder may, at any time, pay in advance the amount due by him on his shares.

“ **1755e.** The capital of the association shall be variable. Capital variable.

“ **1755f.** Shares shall be in the name of the holder, and be transferable on fulfilment of the formalities prescribed by the Transfer of shares, &c. by-laws of the association.

“ **1755g.** The declaration shall be signed in duplicate by the founders in the presence of a witness. One of such duplicates shall be sent to the Minister of Agriculture who, if he deems it advisable to authorize the formation of the association, shall cause to be published without delay in the *Quebec Official Gazette*, a notice according to form B of this section, of the formation of the association, and a notice according to form C of this section shall be at once sent to the prothonotary of the district and to the registrar of the registration division in which the association is formed. Declaration how signed, &c. Notices in Quebec Official Gazette, &c.

“ **1755h.** The association shall consist of the persons who have signed the declaration mentioned in article 1755b and of all who may afterwards subscribe for shares in the association. Who members.

“ **1755i.** From and after the publication of the aforesaid notice in the *Quebec Official Gazette*, the association becomes a corporation under the name given to it in the notice. When it becomes corporation.

With the consent of the board of management, the Minister of Agriculture may change the name of the association by a notice published in the *Quebec Official Gazette*. Change of name.

The association shall have power to acquire and hold lands, and may sell, lease or otherwise dispose of the same, but cannot hold more than five hundred acres at any one time. Acquisition of lands, &c.

It may have business offices in various places in the Province of Quebec. Business offices.

“ **1755j.** The association shall be managed by a board of five directors, three of whom shall constitute a quorum. The directors shall remain in office until the election of their successors at the annual general meeting. They shall be eligible for re-election. Directors, quorum, &c.

They shall hold their meetings according to adjournment or to the written notice given to each of them by order of the president or, in his absence, by order of the vice-president or of two members of the board, at least six days previous to that fixed for holding such meetings. Such notice may be given by registered letter addressed to each director and deposited in the post office of the place where the principal place of business Directors' meetings, &c.

of the association is situated, at least six days previous to such meeting.

By-laws of directors.

The directors shall have full power at any meeting to adopt by-laws for the government of the association, and to amend or repeal the same, provided such by-laws do not conflict with those adopted at the general meetings of the shareholders of the association.

Powers of directors.

**" 1755k.** 1. The board of directors of the association shall, in accordance with the provisions of this section and of the by-laws of the association, deliberate, transact and enact in connection with all matters relating to the interests of the society and, among other things, may :

a. Establish the special conditions of any contract, being particularly careful to see that the interests of the association are protected ;

b. Borrow money ;

c. Acquire moveables, live stock and immoveables and re-sell the same ;

d. Authorize all legal and judicial proceedings.

Limit of borrowing power.

2. The aggregate amount of the sums borrowed by the association shall never exceed the amount of the subscribed shares.

Election of president, &c.

**" 1755ka.** The board of directors shall yearly elect a president and vice-president from among its members, at its first meeting following the annual general meeting.

The president and vice-president of the board of directors shall at the same time be the president and vice-president of the association.

Secretary-treasurer.

The board of directors shall appoint a secretary-treasurer and fix the amount of his remuneration.

Directors serve gratuitously.

**" 1755kb.** The services of the members of the board of directors shall be gratuitous.

Filling of vacancies on board.

**" 1755kc.** In the event of a vacancy in the board of directors, the remaining members shall fill such vacancy for the remainder of the term.

General meeting.

**" 1755kd.** 1. The general meeting shall consist of all the members of the association.

When and where held, &c.

A general meeting shall be held every year on the second Thursday of January at ten o'clock in the forenoon, in the locality where the principal place of business is situated, at a spot to be indicated by the directors. It shall elect the members of the board of directors and an auditor.

First meeting.

The first meeting may be called at any time by two of the members of the association, by means of a notice deposited in

the post office of the locality where the principal place of business is situated, contained in an envelope, registered and addressed to each member at least eight days before such meeting.

It shall elect the first directors, who shall remain in office until the election of their successors at the following annual general meeting. It shall likewise appoint an auditor. Election of first directors, &c.

2. General meetings shall afterwards be convened by the president or, in his default, by the vice-president, by means of a registered letter sent to each member at least eight days before the day fixed for the meeting. Calling of subsequent meetings, &c.

“ **1755ke.** The decisions of the general meeting shall be by the majority of votes ; and when the votes are equally divided, the president shall have a casting vote. Majority vote to govern, &c.

Each shareholder shall have one vote for every share he holds, and on which at least one instalment is paid. Voting of shareholders.

The general meeting may adopt by-laws for the administration of the association and all other necessary by-laws, provided they be not incompatible with the laws of this Province. Special general meetings may also be called by the president or vice-president, as the case may be, upon a decision of the board of directors. By-laws passed by general meeting. Special meetings.

“ **1755kf.** The accounts of the association shall be kept by the secretary-treasurer, under the control of the board of directors, and shall be audited by the auditor. Accounts, their audit, &c.

The accounts of the association shall be closed on the thirty-first of December of every year. Closing of accounts.

After the closing of the fiscal year and during the first week of January, a statement of the affairs of the association shall be prepared and attested by the secretary-treasurer. Statement of affairs.

“ **1755kg.** Such statement must be approved by the auditor and contain : Contents of statement.

a. The list of members on the thirty-first of December, the number of shares subscribed, and the amount paid by each shareholder ;

b. A succinct statement of the assets and liabilities of the association ;

c. A statement of the year's operations showing the profit and loss ;

d. All other information required for such purpose by the by-laws of the association.

“ **1755kh.** The general meeting shall decide, in accordance with such statement, the amount of the profits to be allotted. Allotment of profits.

Reserve  
fund, &c.

The association may have a reserve fund equal to the capital subscribed. So long as the association has no such reserve, the total amount of dividends allotted yearly shall not exceed six per cent of the paid-up capital.

Contracts,  
&c., how  
signed, &c.

“ **1755ki.** All contracts, notes, cheques, drafts or documents binding the association, must be signed by the president or vice-president and by the secretary-treasurer under general or special authorisation of the board of directors.

Dissolution  
and winding  
up.

“ **1755kj.** If an association ceases operations for two years, the Minister of Agriculture may, at the request of the board of directors declare the association dissolved, realize its property and apply the proceeds thereof to the payment of the debts of the association and divide the assets among the shareholders in proportion to the shares subscribed and paid.

Secretary-  
treasurer, his  
obligations  
and security.

“ **1755kk.** The secretary-treasurer of each association shall be responsible to it for all moneys received by him in his official capacity, and he shall be bound to give security to the amount fixed by the board of directors, to the satisfaction of the president and vice-president.

Renewal of  
security.

The security shall be renewed whenever required by the association, and the bond may be according to form D of this section.

Books, &c.,  
open to  
members.

“ **1755kl.** The books and by-laws shall be constantly open to inspection by the members of the association.

Exemption  
from Gov-  
ernment  
taxes.

“ **1755km.** The property of the association shall be exempt from all Government taxes.”

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

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## FORMS

A.—(*Article 1755b*)

## ACT RESPECTING CO-OPERATIVE AGRICULTURAL ASSOCIATIONS

The undersigned declare that they become members of a co-operative agricultural association with limited liability, under the name of The Co-operative Agricultural Association having its principal place of business at \_\_\_\_\_ in the county of \_\_\_\_\_ and that they subscribe the number of shares respectively set opposite their names.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of the month of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_

Witnesses	Names	Surnames	Residences	Occupations	Number of shares of \$10.00

B.—(*Article 1755g*)

NOTICE OF THE FORMATION OF A CO-OPERATIVE AGRICULTURAL  
ASSOCIATION PUBLISHED IN THE QUEBEC  
OFFICIAL GAZETTE

Notice is hereby given that a co-operative agricultural association has been formed in the county of“  
(or as the case may be) under the name of the \_\_\_\_\_ Association”  
and that its principal place of business will be in \_\_\_\_\_

*Minister of Agriculture.*

C.—(*Article 1755g*)

## NOTICE TO THE PROTHONOTARY AND REGISTRAR

Notice is hereby given that a co-operative agricultural association has been formed in the county of  
 (or as the case may be) under the name of the “ Association”  
 and that its principal place of business will be in the  
 Secretary.

D.—(*Article 1755kk*)

## BAIL-BOND

Province of Quebec. }

We  
 residing in the of  
 and . residing in the  
 of , bondsmen of  
 secretary-treasurer of the “ Association”,  
 do acknowledge ourselves to be respectively indebted to the  
 said Association, hereof accepting through  
 the president and vice-president thereof, in the sum of  
 dollars, for the use and benefit of the said association.

And we hereby jointly and severally bind ourselves, our  
 heirs and assigns, one of us alone for the whole amount without  
 division or discussion, for the faithful and full payment of the  
 sum above mentioned in accordance with article 1755kk of the  
 Revised Statutes.

The conditions of this bail-bond are as follows :

Should the said well and  
 aithfully fulfil all the duties and obligations imposed on him  
 n his capacity of secretary-treasurer of the  
 Association in the county of and employ  
 the moneys coming into his hands for the purposes and in the  
 manner indicated by the board of directors of the association,  
 and according to law, and render a faithful and honest  
 account of the said moneys and of his operations as secretary-  
 treasurer, then the present bond shall be null and void ; but,  
 otherwise it shall remain in full force and effect for the pur-  
 poses of article 1755kk of the Revised Statutes.

Done and attested at }  
 this day }  
 of 19 . }

Surety.

Surety.

Accepted by

President of the  
 Vice-president of the

Association  
 Association

## CHAP. 29

An Act to amend the Education Act respecting superior education

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 444 of the act 62 Victoria, chapter 28, is amended, McGill University, by inserting, after the word : " him," in the last line of the <sup>versity, &c.,</sup> first paragraph, the words : " provided, however, that if and <sup>not to share</sup> so long as a special grant is voted by the Legislature for <sup>in certain</sup> McGill University and the University of Bishop's College, <sup>grants under</sup> or for either of them, the said universities or the one for which <sup>certain circumstances.</sup> such special grant is voted, shall not participate in said apportionment nor in the apportionment mentioned in article 450."

2. This act shall come into force on the day of its sanction. <sup>Coming into force,</sup>

## CHAP. 30

An Act to amend the act to incorporate *L'Ecole des hautes études commerciales de Montréal*

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section 2 of the act 7 Edward VII, chapter 23, is amended 7 Ed. VII, c. by replacing the words and figures " three hundred thousand <sup>23, s. 2,</sup> dollars (\$300,000.00) " in the fifth and sixth lines by the <sup>amended.</sup> figures " \$500,000.00."

2. Section 4 of the said act is amended by replacing the <sup>Id., s. 4,</sup> words and figures " twenty thousand dollars (\$20,000.00) " <sup>amended.</sup> in the fourth and fifth lines by the figures " \$30,000.00."

3. Section 5 of the said act is amended :

a. By replacing the word " shall " in the second line by the <sup>Id., s. 5,</sup> word " may." <sup>amended.</sup>

b. By replacing the figures “\$5,000.00” in the third line by the figures “\$7,500.00.”

c. By replacing the word “at” in the third line by the words “within five years after”

Coming into  
force.

4. This act shall come into force on the day of its sanction

## CHAP. 31

### An Act respecting the Polytechnic School

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

57 V., c. 23, s. 17, amended. 1. Section 17 of the act 57 Victoria, chapter 23, as amended by the act 3 Edward VII, chapter 17, section 4 and the act 7 Edward VII, chapter 28, section 1, is further amended by replacing the word : “sixteen,” in the fourth line, by the word : “eighteen.”

Id., s. 21a, amended. 2. Section 21a of the said act, as enacted by the act 3 Edward VII, chapter 17, section 5, and the act 7 Edward VII, chapter 28, section 2, is further amended by replacing the words : “one hundred and sixty” in the third line of the first paragraph by the words : “two hundred and twenty.”

Coming into  
force.

3. This act shall come into force on the day of its sanction.

## CHAP. 32

An Act to amend the law respecting education in this Province, as to certain powers of the Roman Catholic School Commissioners of the city of Quebec

[Assented to 14th April, 1908]

Preamble

**WHEREAS** the Board of Roman Catholic School Commissioners of the city of Quebec, has, by its petition, represented that it is necessary to build, enlarge and improve school houses in the city of Quebec and to borrow considerable amounts for such purpose ;

Whereas by the act 6 Edward VII, chapter 87, the said board



was authorized to borrow two hundred and fifty thousand dollars and no more;

Whereas the debt of the said board amounts to about that sum ;

Whereas it is necessary for the said board to borrow other amounts to finish building its school houses ;

Whereas, if the proposed annexation of certain municipalities around Quebec, is carried out, it will perhaps be necessary for the said board to build or improve school houses in such localities ;

Whereas it is prudent to increase the borrowing power of the board to the amount of five hundred thousand dollars, and whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 1 of the act 6 Edward VII, chapter 87, is replaced <sup>6 Ed. VII, c. 87, s. 1.</sup> by the following : <sup>replaced.</sup>

" 1. The Roman Catholic Board of School Commissioners of the city of Quebec, notwithstanding the provisions to the contrary, contained in section 35 of the act 32 Victoria, chapter 16, may, for the purpose of building, enlarging and improving school houses in the city of Quebec, issue, from time to time, according to the needs of the board, bonds, to an amount not exceeding five hundred thousand dollars, redeemable by annuities or semi-annuities or in any other manner which the board may adopt, in fifty years at the latest." <sup>Board may issue bonds for certain purpose, &c.</sup>

Nevertheless the said commissioners may in any other way temporarily borrow any part of the amount herein authorised, provided the amount do not exceed fifty thousand dollars."

2. This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 33

An Act to amend the act respecting school taxes in the City of Montreal

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

55-56 V., c.  
61, s. 2, re-  
pealed.  
Application  
of certain  
money.

1. Section 2 of the act 55-56 Victoria, chapter 61, is repealed.

2. The sum of two thousand dollars mentioned in the article repealed by the preceding section, shall be paid to the Protestant Board of School Commissioners for the City of Montreal according to law.

Coming into  
force.

3. This act shall come into force on the day of its sanction.

## CHAP. 34

An Act to authorize the issue of additional bonds or debentures by the Protestant Board of School Commissioners of the city of Montreal, and respecting fees payable to the commissioners composing the said board

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS a petition has been presented by the Protestant Board of School Commissioners of the city of Montreal, representing, that it is expedient and in the interests of education, that the said board be authorized and empowered to issue additional bonds or debentures, and to regulate the payment of the fees or *honoraria* to the said school commissioners ; and

Whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Issue of addi-  
tional bonds,  
&c., by Pro-  
testant

1. The Protestant Board of School Commissioners of the city of Montreal are hereby authorized and empowered to issue additional bonds or debentures to an amount not exceeding one hundred thousand dollars; the said bonds or debentures

payable as to principal in thirty years from the date of issue, bearing interest at a rate not exceeding five per cent per annum, with such sinking fund as is necessary to redeem said bonds at said period ; the said bonds to be dated January first, 1908 ; the said school commissioners are authorized to set aside annually such sum as may be necessary to pay the said interest and sinking fund.

2. Such additional bonds or debentures shall be issued in conformity with the act 54 Victoria, chapter 53.

54 V.. c. 53 to apply.

3. The Protestant Board of School Commissioners of the city of Montreal are hereby authorized to enact by-laws relating to the fees or *honoraria* to be paid to the commissioners composing said board, and to fix the amount thereof, and the manner in which they shall be paid.

By-laws of School Commissioners, re fees, &c.

4. This act shall come into force on the day of its sanction.

Coming into force.

## CHAP. 35

An Act to amend the act respecting the School Commissioners for the Municipality of the Town of Westmount

[Assented to 14th April, 1908]

**W**HEREAS the School Commissioners for the municipality of the Town of Westmount have, by their petition, represented that it has become necessary to provide additional school accommodation in the municipality and have prayed for the passing of an act increasing their borrowing powers, and whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section 8 of the act 56 Victoria, chapter 80, as replaced by section 1 of the act 62 Victoria, chapter 72, is replaced by the following :

" 8. The said School Commissioners, with the authorization of the Superintendent of Public Instruction, may expend, from time to time, such sum or sums of money as they may deem necessary for the acquisition of lands and the constructing and furnishing of school-houses or for any purposes within their

Acquisition of lands, &c., by school commissioners.

**Proviso.** jurisdiction, without limitation as to the amount to be expended on any one school-house, provided that the whole debt of the said school corporation shall not, at any time, exceed the sum of three hundred and fifty thousand dollars."

**Coming into force.** **2.** This act shall come into force on the day of its sanction.

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## CHAP. 36

An Act to amend article 2292 of the Revised Statutes respecting the Court of King's Bench

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**R.S.Q., 2292, amended.** **1.** Article 2292 of the Revised Statutes is amended by adding thereto after the word : " chief-justice ", in the second line, the words " called "Chief Justice of the Province of Quebec.' "

**Coming into force.** **2.** This act shall come into force on the day of its sanction.

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## CHAP. 37

An Act to amend the Revised Statutes respecting the appellate jurisdiction of the Court of King's Bench

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**R.S.Q., 2311, 2312, 2313, 2314, repealed.** **1.** Articles 2311, 2312, 2313 and 2314 of the Revised Statutes are repealed.

**Coming into force.** **2.** This act shall come into force on the day of its sanction.

## CHAP. 38

An Act to amend the Revised Statutes respecting the constitution of the Superior Court

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 2315 of the Revised Statutes, as amended by the R.S.Q., 2315, acts 59 Victoria, chapter 24, section 1 ; 62 Victoria, chapter 29, <sup>amended.</sup> section 1 ; 4 Edward VII, chapter 19, section 1 ; and 7 Edward VII, chapter 31, section 1, is further amended by replacing the words " thirty-seven." in the second line, by the words : " forty ", and the words : " thirty-six ", in the third line, by the words : " thirty-nine ".

2. Article 2319 of the Revised Statutes, as amended by the R.S.Q., 2319, acts 52 Victoria, chapter 27, section 1 ; 53 Victoria, chapter 32, section 1 ; 55-56 Victoria, chapter 25, section 1 ; 59 Victoria, chapter 24, section 2 ; 62 Victoria, chapter 29, section 2 ; 4 Edward VII, chapter 19, section 2 ; and 7 Edward VII, chapter 31, section 2, is further amended :

a. By replacing the word : " fourteen ", in the first line, by the word : " seventeen " ;

b. By replacing the words : " village of Aylmer ", in the fifth and sixth lines, by the words : " City of Hull ".

3. This act shall come into force on the day which the Lieutenant-Governor in Council may be pleased to fix by <sup>Coming into</sup> ~~force.~~ proclamation.

## CHAP. 39

An Act to amend the law respecting the terms and sittings of the Superior Court in the district of Chicoutimi

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The act 4 Edward VII, chapter 20, is amended by adding <sup>4 Ed. VII, c. 20, s. added after s. 4.</sup> the following after article 4 :

" 4a. The corporation of the town of Roberval is authorized <sup>Erection of</sup>

court house  
building by  
town of Rob-  
erval, &c.

to order, by mere resolution of its council, the erection of a building to serve as a court house and town hall, and, for such purpose, to receive from the corporation of the second division of the county of Lake St. John, the sum of ten thousand dollars on conditions to be agreed upon between the two corporations, provided such building may also serve for the registry office and provide a room for the sittings of the council of the corporation of the second division of the county of Lake St. John.

Town may  
borrow for  
certain pur-  
poses, &c.

" 4b. Notwithstanding any law to the contrary, the corporation of the second division of the county of Lake St. John is authorized to contract a loan of ten thousand dollars for the purposes mentioned in the foregoing article, after a resolution of its council and without its being necessary to have the same published, approved and voted upon.

Issue of  
bonds, &c.,  
therefor.

Such loan shall be effected by means of bonds or debentures issued under the signature of the warden and secretary-treasurer of the county council, for such period, at such rate of interest and payable in such manner, with or without sinking fund, as the county council may determine, and the secretary-treasurer is authorized to hand over the proceeds of such loan to the corporation of the town of Roberval.

Cost of main-  
tenance.

" 4c. The cost of maintaining the building so erected shall be at the charge of the municipality owning it.

Sittings of  
Superior  
Court there-  
in.

" 4d. As soon as the building so erected is considered suitable for judicial purposes, it shall be lawful for the Lieutenant-Governor in Council to order, by proclamation, that from and after the date therein mentioned, the terms and sittings of the Superior Court and of the Circuit Court shall be held there."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

#### CHAP. 40

An Act to amend the law respecting the Circuit Court in the District of Montreal.

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

56 V., c.24, s.  
5, amended.

1. Section 5 of the act 56 Victoria, chapter 24, as amended by the act 60 Victoria, chapter 31, section 2, is further amended by replacing the word: " both " in the second line, by the word : " all."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 41

An Act to amend the Revised Statutes respecting witnesses  
before the Circuit Court

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Articles 2380 and 2381 of the Revised Statutes are re-  
pealed. R.S.Q., 2380,  
2381, re-  
pealed.

2. Article 2382 of the Revised Statutes is amended by  
striking out the word " also " in the first line. R.S.Q., 2382,  
amended.

3. This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 42

An Act respecting the Court of the Sessions of the Peace

[Assented to 25th April 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section fourth of chapter third of title sixth of the Revised Statutes, as amended by the acts 2 Edward VII, chapter VI, c. 3, s. IV, 19, section 1 ; 3 Edward VII, chapter 27, section 1 ; and 7 Edward VII, chapter 33, section 1, is replaced by the following :

"SECTION IV

OF THE COURT OF THE SESSIONS OF THE PEACE

§ 1.—*The constitution, jurisdiction and powers of the court and of the judges thereof*

" 2485. The Court of the Sessions of the Peace, is a court of record, composed of judges of the Sessions, of whom two, at least, shall reside at Montreal, and at least one at Quebec, and with jurisdiction throughout the whole Province. Court of Ses-  
sions, &c.,  
court of  
record, &c.

Appointment  
and qualifica-  
tions of  
judges, &c.

" **2485a.** The Lieutenant-Governor in Council appoints, during good behaviour, by a commission under the Great Seal, the judges of the Sessions, who must be advocates with at least ten years' practice, and who, when appointed, shall cease practicing. The said judges of Sessions are also stipendiary magistrates, within the meaning of any act of the Imperial Parliament in force in this Province.

Present  
judges con-  
tinue in office.

" **2485b.** The judges of the Sessions, now discharging the duties of such office, and no others, shall continue to be judges of Sessions, and to exercise their functions as provided by this section.

Salaries of  
judges.

" **2485c.** The annual salary of each of the judges of the Sessions ordinarily discharging the duties of such office, shall be four thousand dollars, payable out of the Consolidated Revenue Fund of the Province ; and each of such judges shall perform the duties of judge of the Sessions and license commissioner, as well as all other duties now incumbent upon him, or which may hereafter be imposed upon him by any law in force in this Province..

Judges also  
to be license  
commission-  
ers, &c.

Dismissal  
of judges,  
&c.

" **2485d.** The Lieutenant-Governor in Council may dismiss such judges of the Sessions upon a joint address of the Legislative Council and Legislative Assembly, and, in case of any vacancy in the office, from death, dismissal or otherwise, may appoint other judges of the sessions to fill such vacancies.

Judges *ex  
officio* jus-  
tices of the  
peace, &c.

" **2485e.** The several judges of the Sessions as well as those who may replace them, as provided by article 2485d, are *ex-officio* justices of the peace for every district, with jurisdiction throughout the whole Province, and have all the rights and powers of one or more justices of the peace, as the case may be, even though not possessing the real estate qualification required by law from other justices of the peace.

Oath of  
office.

" **2485f.** Every judge of the Sessions, before entering into office, shall take the following oath before a judge of the Court of King's Bench or Superior Court :

" I, A. B., swear that I will faithfully, impartially and honestly, and to the best of my knowledge and ability, fulfill all the duties and exercise all the powers of judge of the Sessions, in virtue of section fourth of chapter third, of title sixth of the Revised Statutes."

Sittings of  
court.

" **2486.** The Court of the Sessions of the Peace, shall be held at the times and in the manner hereinafter prescribed,



in each district of the Province, and shall be presided over by a judge of the Sessions.

" **2486a.** The Court of the Sessions of the Peace shall try and decide all matters within its competence and jurisdiction, according to the laws in force. How cases to be decided.

" **2486b.** In the districts of Quebec and Montreal, the Court of the Sessions of the Peace, shall hold its sittings at the chief place of each of such districts, every juridical day in the year, or as despatch of business may require. Sittings in districts of Quebec and Montreal.

" **2486c.** In each of the judicial districts other than those of Quebec and Montreal, the Lieutenant-Governor may, by proclamation, order the Court of the Sessions to be held in such districts, at such times and at such places in each of said districts as he may think proper. Sittings in other districts.

" **2487.** The clerk of the Crown, and the deputy-clerk or clerks of the Crown, in districts where such are appointed, shall be the clerks and deputy-clerks of the Court of Sessions of the Peace and officers of such court. Clerk of Crown, &c., clerk, &c., of court.

" **2487a.** The clerk shall be the keeper of the records of the court, and shall enter all proceedings therein. He shall also keep books of account, and shall make report of the proceedings of the Court, of the state of his accounts, and of all the informations received by him in the discharge of his office, whenever required so to do by the Lieutenant-Governor in Council. Duties of clerk

" **2487b.** The sheriff of each district is also an officer of the Court of the Sessions of the Peace, and, within his district, shall obey the orders of the court. Sheriff, officer of the court, &c.

" **2487c.** All constables and peace officers in office at the place where the sessions of the court are held, are officers of the court and bound to obey its orders. Constables, &c., officers of the court.

" **2487d.** The Court of the Sessions of the Peace shall have power to punish, by fine or imprisonment, any witness who, though duly summoned, neglects or refuses to appear and to give testimony before it, and any disobedience or contempt on the part of any person who refuses or fails to submit to any order or to carry out any judgment of the court. Powers of court to punish contempts, &c.

" **2487e.** Such fine shall not be more than eighty dollars, nor such imprisonment for more than two months. Limit of punishment.

" **2487f.** The judges of Sessions in office, or the majority Rules of practice.

Confirmation  
thereof.

of them, may make rules of practice necessary to define the procedure to be followed in causes before them, and for the keeping of good order and decorum, and for the efficient working of the court. Such rules shall be approved by the Lieutenant Governor in Council before coming into force.

Powers, &c.,  
of court.

**" 2488.** The Court of the Sessions of the Peace has all the powers and authority of the Court of General Sessions of the Peace or of the quarter sessions of the peace, and exercises such jurisdiction as the latter court may have in virtue of the law.

### § 2.—*Pensions of Judges of Sessions*

Two-third's  
pension to  
retiring judge  
in certain  
cases.

**" 2489.** If any judge of the Sessions who has been in office for ten years at least, becomes permanently infirm so as to be prevented from usefully performing his duties, and resigns such office, or if having filled such office for at least twenty-five years, he resigns the same, His Majesty may, by letters-patent under the great seal of the Province, grant him a pension equal to two-thirds of the yearly salary he received at the time of his resignation, and such pension shall be paid him during his life-time.

Pension to  
judge 80  
years or 70  
years old.

**" 2489a.** To every judge of the Sessions who has reached the age of eighty years and who has been compulsorily retired, and to every judge of the Sessions so retired or who, having reached the age of seventy years, sends in his resignation, and who, in the latter case, has filled the office of judge of the Sessions for a period of twenty-five years or over, His Majesty may, by letters patent under the great seal of the Province, grant a pension equal to the salary of the office held by him at the time of his retirement or resignation.

And of judge  
70 years old  
and with 25  
years service.

**" 2489b.** If any judge of the Sessions after having continued in office for thirty years and become afflicted with some permanent infirmity disabling him from the due execution of his office, resigns his office, His Majesty may, by letters patent under the great seal of the Province, grant him a pension equal to the salary of his office at the time of his resignation, such pension to commence from the date of his retirement and to be paid him during his life-time.

If holding  
Government  
office, salary  
reduced, &c.

**" 2489c.** If any person who receives a pension under the provisions of this paragraph, should receive a salary for filling any office under the Government of this Province, such salary shall be reduced to the amount of his pension."

Coming into  
force.

**2.** This act shall come into force on the day which the Lieutenant-Governor in Council may be pleased to fix, by proclamation.

## CHAP. 43

## An Act respecting Police Magistrates

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section fifth of chapter third of title sixth of the Revised R. S. Q., s. 5, Statutes, as amended by the act, 1 Edward VII, chapter 16, of c. 3 of title section 1, is further amended by adding after article 2497, VI, amended. the following paragraph.

“§.—5.—*The powers of such magistrates granted to Judges of the Sessions ; and the powers of the recorders of Quebec and Montreal granted to such magistrates.*

**2497a.** The powers and jurisdiction conferred by the pre-Powers, &c., sent section upon police magistrates for the cities of Quebec of certain and Montreal, may, during the absence of such police magistrates to be exercised or of either of them by reason of sickness or otherwise, be exercised by any Judge of the Sessions or by the Court of Sessions.

The powers and jurisdiction conferred by law upon a recorder or a recorder's court, may be exercised in the cities of recorder, of Quebec and Montreal by any police magistrate for either &c., exercise- of said cities, during the absence by reason of sickness or otherwise, able by cer- of the recorders of such cities or of one of them.” tain magis- trates.

2. This act shall come into force on the day which the Coming into Lieutenant-Governor in Council may be pleased to fix by force proclamation.

## CHAP. 44

## An Act to amend the law respecting district magistrates

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 2507 of the Revised Statutes, as replaced by the R.S.Q., 2507, act 53 Victoria, chapter 33, section 1, is amended by replacing amended. the words : “ twelve hundred dollars ”, in the second line, by the words : “ two thousand dollars.”

Id., art. inserted after art. 2507.

2. The following article is inserted in the Revised Statutes after article 2507 as replaced by the act 53 Victoria, chapter 33, section 1.

Payment of travelling expenses of district magistrate.

"2507a. 1. Every district magistrate shall be paid, for travelling expenses, out of the Consolidated Revenue Fund, the sum of six dollars a day, including the days necessarily occupied in travelling, both going and returning from the place assigned to him as his residence,

Certificate thereof.

2. The magistrate who claims payment of his expenses must send with his claim a certificate showing the number of days for which he is entitled to make such claim."

Coming into force.

3. This act shall come into force on the day of its sanction.

## CHAP. 45

### An Act to amend the Revised Statutes respecting the District Magistrate's Court

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Art. inserted after R.S.Q. 2544.

1. The following articles are inserted in the Revised Statutes after article 2544.

Transmission of records, &c., of certain District Magistrates' Courts.

"2544a. When a District Magistrate's Court has been abolished, and the records, registers, documents and archives of such court, have been deposited in the office of a Circuit Court in accordance with article 2537, the Lieutenant-Governor in Council may order by proclamation that such records, registers, documents and archives be transmitted to the office of another Magistrate's Court in the same county within which the abolished court was situated.

"2544b. From and after the date fixed in such proclamation, articles 2538 to 2544 both inclusive, of the Revised Statutes, shall apply *mutatis mutandis* to the case provided for by article 2544a."

Coming into force.

2. This act shall come into force on the day of its sanction.

## CHAP. 46

An Act to amend the Revised Statutes respecting forfeited recognisances

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 2607 of the Revised Statutes is amended by R.S.Q., 2607, inserting after the word "execution" in the fifth line, the amended words : " by seizure of the moveable or immoveable property of the debtor in the ordinary manner or by seizure by garnishment ".

2. Article 2608 of the Revised Statutes is amended by Id., 2608 adding the following paragraph : amended.

" Such execution may also be issued on the *fiat* or *praecipe* Execution of any person to whom the Attorney-General may have given how issued a general written authority to demand the execution of all judgments upon forfeited recognisances."

3. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 47

Act to amend the Revised Statutes respecting the indemnity payable to jurors in criminal cases

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 2672 of the Revised Statutes, as replaced by the R.S.Q., 2672, act 53 Victoria, chapter 34, section 16, is again replaced by the replaced following :

" **2672.** 1. Every person summoned to serve as a grand Indemnity of juror or a petit juror, whose domicile is more than five miles jurors. from the court-house where the court is held, shall receive an indemnity of two dollars for each day that he is necessarily absent from his domicile to attend the court.

Each such juror whose domicile is not more than five miles from the court-house where the court is held, shall receive an

indemnity of one dollar and fifty cents for each day that he is necessarily absent from his domicile to attend the court.

Indemnity,  
how paid.

2. Such indemnity shall be paid by the sheriff, upon the certificate of the clerk of the peace or of the clerk of the Crown, as the case may be.

Gaspé and  
Bonaventure.

3. Each of the counties of Gaspé and Bonaventure, shall be deemed a district within the meaning of this article."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 48

An Act to amend the Revised Statutes respecting the duties of Sheriffs

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 2682,  
replaced.

1. Article 2682 of the Revised Statutes is replaced by the following :

Sheriff to  
have charge  
of gaols, &c.

" **2682.** Each sheriff shall have the custody and keeping of all gaols within the district for which he is appointed, and shall be responsible for the conduct of the gaolers or keepers of said gaols."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 49

An Act to amend the Revised Statutes respecting prisons and houses of correction

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 2724,  
par. 2,  
amended.

1. Paragraph 2 of article 2724 of the Revised Statutes, is amended by replacing the words : " Provincial Secretary ", in the first line, by the words : " Attorney-General ".

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 50

An Act respecting inspectors of prisons and other institutions

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section seventh of chapter eighth, of title sixth of the R.S.Q., 2757, Revised Statutes, is replaced by the following : &c. replaced.

"SECTION VII.

INSPECTORS OF PRISONS AND OTHER INSTITUTIONS

"**2757.** The Lieutenant-Governor in Council may appoint, Appoint-  
under the provisions of this section, fit persons, not more than ment of pri-  
three in number, to be inspectors of prisons, hospitals, and son, &c.  
other institutions. inspectors.

Such inspectors hold office during pleasure, and are under Term of  
the control of the Attorney-General, in so far as the inspection office, &c.  
of prisons is concerned, and under the control of the Provin-  
cial Secretary as regards hospitals and other institutions.

"**2758.** The Attorney-General or the Provincial Secre- Their duties.  
tary, as the case may be, may, at any time, assign to the inspec-  
tors respectively, such parts as he may think proper, of the  
duties which are by this section assigned to or performed by  
inspectors of prisons, hospitals and other institutions, and may  
also, at any time, order any one of said inspectors to perform  
any duties which have been assigned to or are ordinarily  
performed by another."

"**2759.** The inspectors visit and inspect, either singly Inspection of  
or together, under the direction of the Attorney-General, gaols, &c.  
every gaol, house of correction, and prison or place kept or  
used for the confinement of persons, in any part of this Pro-  
vince, as often as ordered by the Attorney-General, but at  
least twice in the year.

The inspectors, or each of them, may examine, and under oath Examin-  
if they think proper, any person holding any office or receiving ation by in-  
any salary or emolument in a place of confinement, and call for spectors, &c.  
and inspect all books and papers relating to such place of  
confinement, and may inquire into all matters relating thereto.

"**2760.** The inspectors appointed in virtue of this sec- Inspectors  
tion, are *ex-officio*, and without the necessity of real property are justices  
qualification, justices of the peace for the whole Province. of the peace,  
&c.

Rules that  
may be  
made by  
inspectors.

**"2761.** The inspectors may make, amend, or repeal rules and regulations for the administration of the common gaols of the Province, in matters relating to:

1. The maintenance of the prisoners in regard to diet, clothing, bedding, and other necessities ;
2. Their employment to the profit of the public revenue ;
3. Medical attendance ;
4. Religious instruction ;
5. The conduct of the prisoners, and the restraint and punishment to which they may be subjected ;
6. The treatment and custody of the prisoners generally, the whole internal economy and management of the gaol, and all such matters connected therewith as may be thought by them useful and expedient.

Such rules and regulations shall not come into force until after they have been submitted to the Lieutenant-Governor in Council for his approval.

The rules and regulations now in force, shall continue in full force and effect, until amended or repealed according to law.

Inspection,  
&c., of hos-  
pitals, &c.

**"2762.** The inspectors, either singly or together, as often as may be determined on by the Provincial Secretary, and, at least twice in the year, shall visit and examine every hospital or other benevolent institution supported wholly by grant of public money, or by money levied under authority of law, and report to the Provincial Secretary as to the condition and management of each hospital or other charitable institution.

Special in-  
spection, &c.  
of hospitals,  
&c.

**"2763.** The inspectors, either singly or together, shall visit and examine, every hospital or other benevolent institution, supported wholly by grant of public money, whenever required so to do by the Provincial Secretary, and shall report to him upon its state, management and condition.

In case of refusal of admission into the same for the purpose of inspection, they shall forthwith report such refusal to him and the circumstances attending the same.

Inspection  
of Beauport  
Lunatic  
Asylum.

**"2764.** So long as any appropriation of money is made by the Legislature in aid of the Beauport Lunatic Asylum, near Quebec, the inspectors shall visit such asylum as often as they may think fit, or as they may be ordered by the Provincial Secretary, and at least twice in the year.

Contents of  
report.

In their annual report they shall fully report on the state and management of such asylum and on the condition of its inmates.



**"2765.** Whenever required so to do by the Provincial Secretary, the inspectors, either singly or together, and at least once in the year, shall visit, examine and report to him upon the state and management of every private lunatic asylum established under the provisions of section third of chapter fifth of title eighth of these Revised Statuts, and upon the condition of its inmates.

The Lieutenant-Governor, upon the recommendation of the Provincial Secretary, after the receipt of any report of the inspectors, may, by an instrument under his hand and seal, suspend or revoke the license granted under the said section.

**"2766.** In case any other lunatic asylum, or any asylum for idiots, or for the deaf, dumb or blind, be maintained wholly at the expense of the Government, the inspectors appointed under this section shall have and perform the same powers and duties with respect to such asylums respectively, as are vested in them by virtue of article 2764 with respect to the Beauport Lunatic Asylum, near Quebec.

**"2767.** The inspectors shall make a full and accurate annual report, to the Attorney-General, as far as gaols, houses of correction, and prisons or places of confinement are concerned, and to the Provincial Secretary in so far as the several asylums, hospitals, and institutions under their inspection are concerned, of the state, condition and management of the various institutions subject to their inspection, and inspected by them, or any of them during the preceding year, together with such suggestions for the improvement of the same as they may deem necessary for their improvement, and shall annex to such reports, all statements and tables of statistics, as the Attorney-General or the Provincial Secretary, as the case may be, may require or deem useful.

**"2768.** If the inspectors find at any time, that a gaol, or house of correction, or prison, or place of confinement, or a hospital or any other charitable institution, maintained wholly by the grant of public moneys or by the aid of moneys levied in virtue of the law, has not the proper and necessary appointments, as far as health is concerned, or that they have become improper for the confinement of prisoners or patients, they shall forthwith report thereupon to the Attorney-General or to the Provincial Secretary, as the case may be."

**2.** The inspectors of prisons now in office, shall remain notwithstanding the provisions of this act, until replaced according to law.

**3.** This act shall come into force on the day of its sanction.

## CHAP. 51

An Act to amend article 2774 of the Revised Statutes respecting the destruction of the records of the District Magistrate's Court in and for the district of Saguenay

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
2774  
amended.

1. Article 2774 of the Revised Statutes, as amended by the act 1 Edward VII, chapter 17, section 1, is further amended by adding the following paragraph :

Further ap-  
plication of  
article.

" 30. The provisions of this article shall apply *mutatis mutandis*, to the causes pending before the Magistrate's Court in and for the district of Saguenay, to the judgments rendered by the said court, and to all the registers, records, and documents, comprising the archives thereof, which were destroyed at the time of the destruction of the yacht "Raoul", in the river St. Lawrence, on the 26th day of July, 1907. "

Proviso.

2. Notwithstanding the provisions of paragraph 19 of article 2774, as replaced by the act 1 Edward VII, chapter 17, section 1, the first day of November 1909 shall be deemed to be the day immediately following the day when said archives were destroyed.

Coming into  
force.

3. This act shall come into force on the day of its sanction.

## CHAP. 52

An Act respecting Public Buildings

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
title VII, c. 2,  
s. 1, re-  
placed.

1. Section first of chapter second of title seventh of the Revised Statutes, as replaced by the act 57 Victoria, chapter 29, section 1, is again replaced by the following :

## " SECTION I

## SAFETY IN PUBLIC BUILDINGS

§ 1.—*Declaratory and Interpretative*

" **2973.** The words " public buildings " mean and include " Public churches and chapels, or buildings used as such, seminaries, colleges, convents, monasteries, school-houses, public or private hospitals, orphan asylums, infant asylums, charity work-rooms (*ouvroirs*), hotels, boarding houses capable of receiving at least fifteen boarders, theatres, halls for public meetings, lectures or amusements, buildings for the holding of exhibitions, stands on race-courses or other sporting grounds, buildings in parks, skating rinks, rooms for showing moving pictures, buildings of three stories or more over the ground floor occupied as offices, stores employing at least ten clerks and court-houses Public buildings defined.

" **2974.** The words " proprietors of public buildings " Proprietors of public buildings defined. include persons, companies and corporations, who are proprietors, tenants or occupants, under any title, of any building mentioned in article 2973, and their agents.

§ 2.—*Application of section*

" **2975.** Saving the restrictions which the Lieutenant-Governor in Council may make in the regulations which he may enact in virtue of article 2988v, all public buildings mentioned in article 2973, are subject to the provisions of this section. Application of section.

§ 3.—*Safety in public buildings*

" **2976.** 1. The public buildings mentioned in article 2973 must afford all the security required by this section and the regulations made under its authority. Security to be afforded by public buildings.

2. Public buildings now open to the public, and which would require too heavy an expense to be made conformable to the prescribed requirements, must however be made to conform thereto as much as possible, to the satisfaction of the inspector. Proviso as to certain buildings.

3. No public building shall be built or altered, after the coming into force of this section, and no work affecting the solidity of a building or of part of a building or changing the conditions of a building or part of a building, shall be done without a permit from the inspector. Such permit shall not be issued until after examination of the plans and specifications for the building. Permit required for building, &c., of certain buildings.

4. When extensive alterations are made to a public building, Architect's

certificate in certain cases. an architect's certificate as to the solidity and safety of such building shall be given by the proprietor to the inspector.

And in certain other cases.

5. If the destination of a public building is so altered that greater solidity is required, an architect's certificate as to such solidity, shall be given by the proprietor to the inspector.

How architect chosen.

6. Whenever proprietors and tenants cannot agree upon an architect, the choice thereof shall be made by the inspector, who shall appoint an architect recognized by the Province of Quebec Association of Architects, and the certificate of such architect shall be valid.

#### § 4.—Duties of proprietors of public buildings

“ 2977. Every proprietor of a public building shall :

Notice re public buildings.

1. Transmit to the inspector a written notice giving his name, the name of the building and its destination, as well as the name of the place where it is situated, within thirty days previous to the opening of such building to the public, if it be recently erected, and within sixty days from the coming into force of this section, if it be at present open to the public ;

And of fires, &c., therein.

2. Transmit a written notification to the said inspector of every fire or accident which occurs in such building, within forty-eight hours from the occurrence of such fire or accident ;

Giving facilities to inspector.

3. Provide such inspector with everything necessary for facilitating an effective inspection of the building and its dependencies ;

Certificate of inspection.

4. If the building is a theatre or a hall for lectures or public amusements, or a hotel, have a certificate of inspection, signed by the inspector, posted up, and keep it there constantly whole and legible.

Seats for certain employees.

5. Employers shall place a sufficient number of seats at the disposal of the girls or women employed in their stores, in order that they may rest when the nature of their work requires it, or service upon customers permits.

#### § 5.—Powers of Inspectors

Duties of inspectors.

“ 2978. The inspectors of industrial establishments appointed in virtue of the fourth section of this chapter are assigned the duty of seeing to the observance of this section and the regulations made under its authority.

Their powers.

“ 2979. The said inspectors have, *mutatis mutandis*, the same powers and are subject to the same obligations, as regards safety and health in public buildings, as those indicated in the said fourth section and in the regulations made by the Lieutenant-Governor in Council, respecting the safety and health

of employees in industrial establishments, in so far as the same may be applicable thereto.

**" 2980.** They have the right to be present at inquiries held by the fire commissioners of Quebec and Montreal, and at inquests held by coroners, in all cases of fire or accident in a public building, and to question the witnesses, in order to ascertain the cause of such fire or accident. May be present at enquiries of fire commissioners, &c.

**" 2981. 1.** They have the right to make to the proper authorities, any suggestions they may consider advisable in the interest of safety in public buildings. Suggestions to authorities.

2. They have the right, in the performance of their duties, of free entrance into public buildings at any hour of the day or night ; and shall be admitted therein without delay, on presenting a card identifying them, bearing the seal of the inspection department and the signature of the Minister of Public Works and Labour, or that of the chief inspector. Inspectors' right of entrance to public buildings, &c.

3. They may require the production of the certificates or other documents required by the law and the regulations passed in virtue thereof, as well as all information they may think necessary. And to require certificates, &c.

4. If they have reason to fear being molested in the performance of their duties, they may in any case require one or more constables to accompany them. And to require assistance of constables.

5. If an inspector ascertains that by reason of insufficient resistance or solidity in a building or part of a building, there is danger of a collapse, he shall forthwith order that such building or part of a building, as the case may be, shall be immediately and completely vacated, and for such purpose may require the services of any member of the municipal or provincial police force, or of a peace officer. Ordering buildings, &c., to be vacated, &c.

The Minister of Public Works and Labour may suspend or reverse any such decision of the inspector. Power of Minister.

**" 2982.** They shall publish, in the *Quebec Official Gazette*, such provisions of the law and the regulations as they consider should be more especially made known to the public, and also publish their addresses therein. Certain publications in Quebec Official Gazette.

### § 6.—*Inspection of Public Buildings*

**" 2983. 1.** Public buildings, as well as all accessories thereof, moveable or immovable, shall be erected and maintained so Construction of public buildings,

&c., so as to protect life that the lives of all persons residing therein or having access thereto shall be effectually protected against accidents.

**Exits therefrom.** 2. They shall be provided with all means necessary to permit a prompt and easy exit therefrom of the occupants or of the public in case of an alarm of fire or a panic.

**Safety appliances.** 3. Every building of at least three stories, and every school building, shall be provided with safety appliances on the outside; such as iron stairs, safety tubes of canvas or metal, or other means of safety in case of fire, approved or prescribed by the inspector. This provision shall not apply to any public building that is fire proof to the satisfaction of the inspector.

**Proviso.**

**Safety devices approved by inspector.** " **2984.** Any system or device for safe exit may be adopted if it is approved by the inspector. If there are no means of safety outside of the ordinary exits, or if the safety system in use is not approved by the inspector, the latter may, by an order given to the proprietor, tenant, agent or superintendent of the building, require one or more safety contrivances. Such safety contrivances shall be installed at the places directed by the inspector, and built in the manner specified in the order. The exits or safety contrivances shall be built within thirty days after the order has been given, and each of said exits or safety contrivances shall comply with the specifications contained in the order or with those contained in the following paragraphs:

**Order for same.**

**Places where to be put, &c.**

**When to be built, &c.**

**How built, &c.**

**Railings, &c.**

**Canvas tubes.**

**Metal tubes.**

**Balconies, &c., where to be placed.**

**Steps in certain cases.**

**Condition of safety exits.**

*a.* Safety stair-cases shall be built of iron, with sufficient side railings, and shall be connected with the inside of the building by means of doors or windows; and shall also have sufficient railings at each story above the first, including the attic when it is used as a workshop, and shall be kept in good condition and unobstructed.

*b.* Canvas tubes shall consist of tubes made of strong canvas, treated chemically and so as to offer sufficient resistance to fire. Such tubes shall be solidly fixed to an iron frame and shall be supplied with brakes to check the descent.

*c.* Metal tubes shall consist of tubes of metal or sheet iron, of spiral form, and connected to each story by galleries.

*d.* All balconies, galleries and stair-cases shall be put at the places and in the manner determined by the inspector. Canvas tubes shall be placed in portable chests, and installed in the places determined by the inspector.

" **2985.** When the windows or other outlets opening upon the safety staircases, are more than two feet above the floor, steps shall be placed so as to enable the occupants of the building to easily reach such outlets.

" **2986.** The said safety exits shall always be kept in good condition, and free of all hindrance and obstruction whatever.

**" 2987.** The principal doors from which exit is had, as well as all doors at the lower part of a staircase, shall open outwards and be kept free throughout meetings, classes, performances and religious services. In the case of hotels and boarding houses, boarding schools and other buildings occupied at night, the doors shall never be locked with a key, but shall be supplied with a lock which opens automatically by pressure from within the building, and in the case of churches, theatres, amusement halls, and places of public meeting, shall be closed by means of weights or springs and not by clasps.

Certain doors to open outwards, &c.  
How certain doors to be locked.

**" 2988.** Every building which shall hereafter be built or altered, to serve as a theatre, for dramatic or operatic entertainments, or for other like purposes requiring the use of a stage with moveable scenery, curtains and machines, shall be a first class building, that is to say fire-proof, to the satisfaction of the inspector, and the upper part of the principal floor of the hall shall not be more than seven feet above the level of the street or road where the exit doors are situated.

Certain buildings to be fire-proof, &c.

**" 2988a.** There shall be at least two independent exits for each division, compartment or gallery of the buildings mentioned in article 2988. Besides the exits hereinabove mentioned, there shall, whenever practicable, be direct exits opening out from the principal floor to a street, public square, lane or yard, and these exits shall be provided with doors or light windows, opening outward, and kept closed so as to allow of their being promptly and easily opened in case of fire or panic.

Exits.

**" 2988b.** Plans indicating the exits and the stair-cases shall be printed on each programme. A diagram indicating the stairways and the exits shall also be posted up in a conspicuous place in each gallery or floor and upon the stage.

Plans, diagrams, &c.

**" 2988c.** All the corridors, passages and aisles of such theatres shall be of ample and uniform width, and, if possible, shall widen out towards the exits so as to allow the audience an easy outlet from the building. During entertainments these corridors, passages and aisles shall be kept free of all obstructions.

Width of corridors, &c., in theatres, &c.

**" 2988d.** The stage of every theatre shall be separated from the auditorium by a brick wall at least sixteen inches thick, which wall shall extend the whole height and breadth of the building and two feet above the roof.

Wall separating stage, of theatre from auditorium, &c.

**" 2988e.** The opening for the curtain in every theatre shall be provided with a curtain of incombustible material, approved of by the inspector, and sliding at each end in grooves

Fire-proof curtains, &c., in theatres.

solidly fixed in brick walls; and entering into such grooves at least six inches on both sides. This curtain shall be raised at the beginning of each act and lowered at the end of each act. It shall also be worked by means of approved appliances.

Fire-proof ventilators, in theatres, &c.

"2988f. There shall be above the stage of each theatre, one or more incombustible ventilators, the area of each of which shall be equal to at least one-thirtieth of the whole area of the stage. Each ventilator shall be supplied with a valve arranged and counter-balanced so as to open automatically. The valve shall be closed when the ventilator is not in use, by means of a cord, the end of which is at the prompter's office. This cord shall be of combustible material, and so arranged that if it breaks the ventilator will open automatically. The inspector may, at his discretion, require that such a ventilator be made in theatres already built.

Fire pipes, &c., on stage of theatre, &c.

"2988g. There shall be at least two four-inch fire pipes upon the stage of each theatre with all necessary hose and nozzles connected with said pipes at the level of the stage on each side, and the water shall be kept circulating in said pipes whilst there is an audience in the theatre. The inspector may order any other appliances for protection against fire that he may think proper.

Lighting of theatres.

"2988h. All theatres shall be lighted by electric light. There shall be a lamp opposite each exit, as well as above and below each staircase, and all lamps shall be supplied with red glass globes.

Certificate as to hall for moving pictures.

"2988i. Before allowing any hall to be used for moving pictures to be opened, the inspector may require from the proprietor or agent, a certificate establishing that the precautions required for the installing of apparatus for electric lighting or motive power, comply with the underwriters' regulations.

Fire-alarms for theatres.

"2988j. All theatres shall be supplied with approved fire-alarms, connected with the central office of the fire-alarm department.

Fire-proof, scenery, &c.

"2988k. All scenery and accessories shall be made incombustible with a fire-proof paint or solution which shall be previously approved by the building inspector.

Inspection of theatres before beginning of theatrical season.

"2988l. Every year, before opening a theatrical season, on or before the fifteenth day of August, the agent, the lessee or the manager of every theatre, shall demand an inspection of his building by a notice addressed to the inspector, and no



theatre shall be opened to the public before having been inspected and approved by the inspector.

**" 2988m.** In so far as, in the opinion of the inspector, shall be possible, the regulations governing theatres may be applied in whole or in part to public amusement halls or other buildings mentioned in article 2973. Theatre regulations may apply to certain other buildings.

The certificate prescribed by article 2977 shall mention the number of persons which each theatre, lecture hall or amusement hall can hold. Capacity of theatres, &c.,

Such number shall be in proportion to the number and dimensions of the exits and the width of the passages, corridors and aisles, and no greater number of spectators shall be allowed to enter than the number mentioned in the certificate. Audience in theatres, &c., to be in proportion to number, &c., of exits, &c.

Such certificate shall be posted in the place designated by the inspector, and its place shall not be changed without his permission. There shall be two or more posters, as may be necessary, in the discretion of the inspector. Posting of certificate &c.

Above each door or exit leading to the outside, there shall be placed a poster bearing in large characters the word "exit" or "sortie" and in such light as to be easily read. Sign above certain theatre doors.

**" 2988n.** The inspector may require that there shall be a night guardian in every hotel or boarding-house having fifty occupied rooms. Night guardian in hotels, &c.

The passages and staircases shall be lighted throughout the night. The lamps indicating the safety exits, shall be supplied with glasses of glass coloured differently from that of other lamps. Lighting of certain passages.

The proprietors shall post in each room, a notice in French and in English, containing the information necessary to enable the occupants to find their way to the supplementary exits and to use the extinguishers and safety appliances. Posting of certain notices.

There shall be a sounding gong or other alarm appliance to wake the occupants at night in case of fire. Gongs, &c., in hotels, &c.

Proprietors of hotels which can accommodate at least fifteen boarders, shall have their house inspected and obtain a certificate attesting that all the precautions for the safety of the boarders and employees have been taken, as required by law and by the regulations. The certificate shall be issued in duplicate, and the proprietor, after having posted one of them in a conspicuous place in his house, shall keep the other at the disposal of the inspector of provincial revenue of the district. Such certificates shall be given by the inspector free of charge, and the collector of provincial revenue shall not grant a license until after the certificate has been obtained. Inspection of certain hotels, &c. Certificate thereof, &c.

**" 2988o.** The principals or heads of every college, seminary, school, convent, hospital or asylum, shall, so far as possible, Certain fire instruction, &c.

instruct the pupils or other occupants as to what is to be done in case of fire, and show them how to use the safety appliances and extinguishers.

Safety and exit drill, &c.

Safety and exit drill shall be had from time to time, under the supervision of the principal or head of the institution, and of the inspector if he thinks proper.

Posting of certain certificate in certain schools, &c.

The proprietors and principals of colleges, convents, boarding schools, or other educational establishments, shall constantly keep posted in the parlour of the building, a certificate signed by the inspector, attesting that all precautions touching the safety of the pupils, boarders or other occupants of the building, in case of fire or panic, have been taken, according to law and to the satisfaction of the inspector.

Penalty, &c., in certain cases

**" 2988p.** Every proprietor, lessee or agent, who fails to comply with the notices given by the inspector in virtue of this section, is liable to the penalty prescribed by article 2988r, and until he has complied with such notice, no meeting or performance shall take place in such theatre or public amusement hall, and the inspector is by this section authorized to post at the entrance of such building, in a conspicuous place, a placard indicating that the said building is dangerous.

Demolition of buildings in certain cases, &c.

**" 2988q.** The proprietor of any building, destroyed or partially destroyed, or rendered dangerous, by fire or otherwise, shall demolish such building, and if the proprietor refuses or neglects so to do, after being ordered so to do by the inspector, the building shall be destroyed at the expense of such proprietor, and the cost of such demolition shall be a privileged claim upon the land where the building is situated.

### § 7.—*Offences and penalties*

Fine &c., in certain cases.

**" 2988r.** 1. Proprietors of public buildings who infringe the provisions of this section and of the regulations made under the authority thereof, are liable to a fine not exceeding fifty dollars and costs, for each day while the offence lasts.

Incumbents, &c., subject to section, &c.

2. The incumbents, church-wardens or trustees owning churches or buildings used as such under section first of chapter third of title ninth of these Revised Statutes, respecting lands held by religious congregations, and all others owning churches or buildings used as such in virtue of any other law; are subject to the provisions of this section, and, in case of contravention, are severally liable to the penalties set forth in the preceding paragraph of this article.

Penalty for opening

**" 2988s.** 1. Every proprietor of a theatre or hall, used for public meetings, lectures or public amusements, who, without the required certificate of inspection, allows such building to

be open to the public, is liable, in addition to the fine mentioned in article 2988r, to a penalty not exceeding fifty dollars and costs, for every day that such building so remains open. without inspection.

2. On the report of the inspector, the Minister of Public Works and Labour may order such owner to close such building until he has obtained the required certificate. Closing of certain buildings.

Such order may be executed by a constable of the municipal or provincial police force, or by a peace officer, either by preventing the public from entering or by causing the place to be cleared. How effected.

3. Every proprietor, lessee or agent of a theatre or of any building in which shows or public amusements of any kind are given, and every proprietor or lessee of a park, race course or grounds where public sports are carried on, who refuses free access to the inspector or who does not reasonably facilitate the work of the inspector, is liable to a fine of not more than fifty dollars and costs. Fine for refusing access to inspector in certain cases.

#### § 8.—*Jurisdiction of certain courts and procedure*

"2988t. 1. All prosecutions under this section are brought by the inspector before the judge of the Sessions of the Peace or a police magistrate in the cities of Quebec and Montreal, or before the district magistrate or a justice of the peace of the place where the offence was committed, if in any other part of the Province. Prosecutions before what court brought.

2. The procedure to be followed in such cases is that prescribed by part XV of the Criminal Code. Procedure.

3. No prosecution shall be brought for any infringement of the law or of the regulations after sixty days from the time such infringement came to the knowledge of the inspector. Prescription.

"2988u. The fines imposed under this section shall be collected by the inspector and shall be paid to the Provincial Treasurer for the uses of the Province. Collection, &c., of fines.

"2988v. 1. The Lieutenant-Governor in Council may make regulations, with respect to the buildings mentioned in article 2973, upon the following, amongst other matters : Regulations by Lieut.-Gov. in Council.

a. The construction of public buildings, and their solidity, so as to insure the safety of those who reside in or who frequent the same ; Construction &c., of public buildings.

b. The precautions to be taken against fire, and more particularly as respects : doors and windows, staircases, escapes, apparatus for extinguishing fire and saving life, and elevators and their safety appliances; Precautions against fire.

Safety of workmen, &c.  
Certain rights of municipal councils not affected.

c. The safety and health of the guardians, workmen, workwomen, clerks or other persons employed in public buildings.

2. Nothing in this article shall, however, affect the powers possessed by municipal councils for making by-laws respecting public safety, nor the powers of the commissioners appointed under the law respecting the erection and division of parishes, to make regulations on the same subject, with respect to churches and other buildings for divine worship; provided such by-laws or regulations be not inconsistent with those made in virtue of this section.

Existing rules, &c., not affected, &c.

"2988w. This section shall not affect any rules and regulations, matters or things done or made under the law replaced by this section, which shall remain in force until the contrary be decided under this section; nor shall it affect the rules and regulations adopted therein by the Board of Health of the Province of Quebec.

Suggestions by inspector, &c.

"2988x. 1. The inspector, after having pointed out to the proprietors of any building the defects which may exist, whether in the construction of the building or in the installation and maintenance thereof, or any other defects resulting from the absence of anything required for the protection of human life, shall suggest the work which he thinks necessary, leaving, however, to the proprietor, the choice of the changes to be made so that his establishment shall be kept according to the law and regulations.

Demand of inspection, &c.

2. Upon receipt of the regulations adopted in virtue of this section, every person interested may call upon the inspector to visit his establishment. The inspector shall point out whatever faults he may find.

Delay to make changes.

3. If the application of the regulations necessitates a considerable change in the arrangements of the building, a delay shall be granted, proportioned to the importance of the changes deemed necessary. When this delay has elapsed, the regulations adopted in virtue of this section, shall be given full effect.

Is in discretion of inspector.

4. The delay granted to the proprietor to perform his obligations, shall be left to the discretion of the inspector.

Order that certain work be done, &c.

"2988y. If the proprietor of a public building fails to comply with this section, the Minister of Public Works and Labour, may cause to be made, at the expense of such proprietor, the works necessary to ensure the security of such building, or may order that such building be vacated and closed until the proprietor complies with the law.

By whom carried out.

Any such order shall be carried out by the proper inspector who may require all assistance necessary for such purpose."

Coming into force.

2. This act shall come into force on the day of its sanction.

## CHAP. 53

## An Act respecting the inspection of scaffoldings

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The following section is inserted in the Revised Statutes R. S. Q., title after section first of chapter second of title seventh : after 2988y.

## " SECTION 1a

## INSPECTION OF SCAFFOLDING

" **2988z.** The council of every city or town may appoint one or more inspectors of scaffolding, and provide for their remuneration. Appointment of scaffolding inspectors, &c.

" **2988aa.** Every contractor or builder who makes use of scaffolding at least fifteen feet high, shall obtain and exhibit when required by any workman in his employ, or by an inspector, a certificate of inspection signed by a municipal inspector, or by an architect, or by a licensed engineer of this Province or by an inspector of public buildings of this Province. Certificate of inspection of certain scaffolding.

" **2988bb.** Every contractor or builder who refuses or neglects to comply with the requirements of article 2988aa, is guilty of an offence, and upon summary conviction thereof before a police magistrate or a justice of the peace having jurisdiction where the offence was committed, shall be liable to a penalty of not more than ten dollars and costs. Penalty.

" **2988cc.** Any person may prosecute or lay a complaint under this section, and the half of every penalty imposed, when collected, shall belong to His Majesty for the uses of the Province, and the other half to the prosecutor or complainant. Who may prosecute, &c.

" **2988dd.** Every prosecution in virtue of the provisions of this section shall be brought, tried and decided in accordance with part XV of the Criminal Code. Procedure to be followed.

" **2988ee.** The inspectors of public buildings of the Province are authorized to inspect scaffolding, and, when they think proper, to condemn such as they think dangerous, and to prosecute offenders against this section. Building inspectors may inspect, &c.

Section applies to cities, &c. **" 2988ff.** This section shall apply to cities and towns, but nothing therein contained shall be deemed to take away from municipalities their right to regulate and provide for the inspection of scaffolding."

Coming into force. **2.** This act shall come into force on the day of its sanction.

## CHAP. 54

An Act to amend the Revised Statutes concerning Fire Commissioners

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
3007, re-  
placed.

Summons or  
warrant,  
how served,  
&c.

Proviso.

**1.** Article 3007 of the Revised Statutes is replaced by the following :

**" 3007.** Any summons or warrant to secure the attendance of witnesses, or warrant of arrest, may be served or executed in any district in the Province of Quebec, or in any county or place in the Province of Ontario ; provided always, that where a warrant is to be executed out of the district of Montreal or the district of Quebec, as the case may be, or in the Province of Ontario, the same shall be backed by any justice of the peace within whose jurisdiction the same is to be executed, in the manner provided by article 662 of the Criminal Code."

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 55

An Act to amend the law respecting inquiries in case of fire and the office of fire commissioner of the City of Montreal.

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
3011, re-  
placed.

**1.** Article 3011 of the Revised Statutes as replaced by the act 52 Victoria, chapter 31, section 3, is further replaced by the following :

**" 3011.** The fire commissioner for the city of Montreal <sup>Salary of Montreal fire commissioner.</sup> appointed under this section, is entitled to an annual salary of \$5000.00, to be divided equally between the incumbents of the said office, so long as the said office is held by more than one person and not more than two, to be paid by the city of Montreal, in equal monthly payments, from and out of the revenues of the said city.

In addition to the said salary, the said commissioner shall <sup>Allowance for office expenses.</sup> be entitled to receive from the said city out of its revenues, the sum of \$400.00 annually, which shall be divided equally between the incumbents of such office as long as the said office is held by more than one person and not more than two, for the contingencies of his office, covering all stationery, cab hire, and incidental expenses, including the issue of subpoenas and warrants.

The salary of the secretary to the said fire commissioner <sup>Salary of secretary, &c.</sup> is fixed at the sum of \$1,000.00 per annum, and shall also be payable by the said city of Montreal out of the revenues thereof, in equal monthly payments.

The city of Montreal is entitled to recover from the fire <sup>Contribution by insurance companies.</sup> insurance companies, doing business in the said city, two-thirds of the amount so paid by it, and other amounts for the maintenance and keeping of the said office of said commissioner, in such manner and at such periods as may be determined by by-law, which it is hereby authorized to make for that purpose.

The said sum is payable by the said insurance companies <sup>Proportion of each company.</sup> in proportion to the revenue received by each in the said city.

The basis of such proportion shall be the sworn statement <sup>Basis of proportion.</sup> which the agent or representative of each company shall be obliged to make and furnish to the said city.

**2.** Article 3012 of the Revised Statutes is amended by re-Id., 3012 placing the words "four hundred" in the second line thereof <sup>amended.</sup> by the words "seven hundred."

**3.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 56

An Act to amend article 3195b of the Revised Statutes.

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R. S. Q.,  
3195b,  
amended

1. Article 3195b of the Revised Statutes, as enacted by the act 55-56 Victoria, chapter 30, section 2, is amended by adding thereto after the word " Court " in the third line, the words " a notary."

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 57

An Act to amend the Revised Statutes respecting the act of apportionment necessary for the building and repairing of churches, parsonages and cemeteries

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec enacts as follows :

R. S. Q., art.  
inserted after  
art. 3048.

1. The following article is inserted in the Revised Statutes after article 3408, as amended by the act 5 Edward VII, chapter 20, section 2.

Revision of  
act of as-  
sessment,  
every five  
years, &c.

" **3408a.** 1. Every five years, until the last instalment of the assessment is paid, the act of assessment shall be revised by the trustees, and when so revised shall be homologated by the commissioners, the whole on observing the formalities required by article 3408.

Deposit  
and revision  
thereof, &c.

2. The revised act shall be deposited at the date corresponding to that of the notice given in virtue of paragraph 3 of article 3408, or, when such day falls on a legal holiday, then on the next following juridical day, and the revision shall take place within the fifteen days next preceding the deposit.

Amendments

3. The amendments shall be embodied in a separate act made in the same form as the principal act.



4. Each amendment, with the year on which it was made, Amendments shall be noted in one of the columns of the principal act kept noted in prin- for that purpose, opposite the immoveable affected by such cipal act, &c. amendment.

5. The trustees may, nevertheless, make a new act of as- New act. sessment, instead of the revision, by observing the formalities prescribed by article 3408."

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 58

An Act to amend article 3611 and others of the Revised Statutes respecting the Notarial Code

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 3611 of the Revised Statutes is amended by R. S. Q., striking out all the words after the word "seizure" in the 3611, fourth line. amended.

2. Article 3634 of the Revised Statutes is amended by Id., 3634, adding after the figures 3632, in the third line, the words : amended. "or who takes holy orders or becomes a minister of any religion whatsoever"

3. Article 3635 of the Revised Statutes is amended by Id., 3635, adding thereto the following paragraph : amended.

"The same rule applies to any notary who has voluntarily Notary ceased practising, and who wishes to resume the practice of ceasing his profession." practice.

4. Article 3636 of the Revised Statutes is replaced by the Id., 3636, following : replaced.

"**3636.** Every notary not qualified to practice in virtue of the Practicing, provisions of this chapter, who, directly or indirectly, prac- &c., of notary tises his profession, either alone, or jointly with a qualified no- not entitled tary, or who shares in the fees of the latter or receives any part to practice. thereof, is deemed to have illegally practised the profession of notary, and is liable, over and above any professional penalties, to a fine of not less than twenty-five dollars and not more

than seventy-five dollars recoverable in the manner prescribed by article 3836."

Id., 3679,  
replaced.

**5.** Article 3679 of the Revised Statutes is replaced by the following :

What shall  
be *en brevet*.

" **3679.** 1. Declarations, advice of family councils, appointments and reports of experts in matters respecting minors and other incompetent persons, shall be received and delivered *en brevet*."

What may  
be *en brevet*.

2. Life certificates, powers of attorney, authorizations, acts of notoriety, receipts for farm or house rent, wages, arrears of pension or of rent, and other ordinary deeds may be received *en brevet*.

Id., 3694..  
amended.

**6.** Article 3694 of the Revised Statutes, is amended by adding thereto the following paragraph :

Notice of  
deposit of  
records.

" Whenever a notary deposits in the prothonotary's office, one or more sets of records which have been assigned to him, he shall give immediate notice thereof to one of the secretaries of the Board."

Id., 3695,  
amended.

**7.** Article 3695 of the Revised Statutes, as amended by the acts 59 Victoria, chapter 29, section 3, and 62 Victoria, chapter 34, section 1, is further amended by adding thereto the following paragraph :

Notice of de-  
posit of re-  
cords.

" As soon as a set of records is deposited, the prothonotary shall forthwith and free of charge give notice of such deposit to one of the secretaries of the Board."

Id., 3696,  
amended.

**8.** Article 3696 of the Revised Statutes, is amended :

a. By striking out the words " provided such transfer is made within the year following the deposit " in the fifth and sixth lines.

b. By adding thereto the following paragraph :

Notice of  
transfer of  
records.

" When a set of records which has been deposited is so transferred, the prothonotary shall forthwith give notice thereof free of charge to one of the secretaries of the Board, mentioning in such notice the name of the transferee."

Id., 3770,  
amended.

**9.** Article 3770 of the Revised Statutes is amended by replacing the words : " after the Board shall have ordered the same by by-law ", in the third and fourth lines, by the words : " since the 19th day of July, 1899, upon which day a by-law to that effect was passed."

Id., 3788,  
amended.

**10.** Article 3788 of the Revised Statutes is amended by adding thereto at the end of paragraph 4 thereof the words : " and of those transferred to practising notaries."

**11.** Article 3792 of the Revised Statutes, as amended by Id., 3792, the act 61 Victoria, chapter 28, section 3, is further amended : <sup>amended.</sup>

a. By adding, after the word : " Province ", in the second line, the words : " and of all those transferred to practising notaries."

b. By adding after the word : " deposited ", in the fifth line the words : " or transferred."

**12.** Article 3811 of the Revised Statutes as replaced by the Id., 3811, act 63 Victoria, chapter 25, section 7, is amended by inserting <sup>amended.</sup> after the word " deed " in the second line, the words " *en minute.*"

**13.** Article 3812 of the Revised Statutes, as amended by Id., 3812, the act 61 Victoria, chapter 28, section 5 is further amended <sup>amended.</sup> by inserting after the word " allow " in the second line the words " or make valid "

**14.** Article 3812a of the Revised Statutes as enacted by Id., 3812a, the act 5 Edward VII, chapter 23, section 1, is amended by <sup>amended.</sup> striking out the words " the registration " in the second line of the second paragraph.

**15.** Article 3822, of the Revised Statutes, is amended by Id., 3822, adding after the word : " before ", in the second line, the words : <sup>amended.</sup> " and to the satisfaction of."

**16.** The following article is added to the Revised Statutes Id., art. <sup>added after</sup> after article 3833. <sup>3833.</sup>

" **3833a.** The Board may, by by-law, change and amend from <sup>Certain by-</sup> time to time, the provisions contained in articles 3803, 3804, <sup>laws of</sup> 3810 and 3830, and otherwise provide for the matters governed <sup>Board.</sup> by such articles."

**17.** Article 3940 of the Revised Statutes as replaced by Id., 3940, the act 3 Edward VII, chapter 35, section 40, is amended by <sup>amended.</sup> inserting after the word " party " in the sixth line, the words " upon the registrar of the registration division."

**18.** Article 3946 of the Revised Statutes, as amended by Id., 3946, the act 3 Edward VII, chapter 35, section 45, is replaced by <sup>replaced.</sup> the following :

" **3946.** In every case of suspension or removal of a notary, <sup>Notice of</sup> notice thereof shall be given over the signature of one of the <sup>suspension,</sup> secretaries of the Board, in two numbers of the <sup>&c., of no-</sup> *Quebec* <sup>tary.</sup> *Official Gazette*, after the service required by article 3940 has been made".

Id., 3947,  
amended.

**19.** Article 3947 of the Revised Statutes is amended :

a. By replacing the word : " four ", in the second line, by the word : " two."

b. By adding thereto the following paragraph :

Registrars,  
&c., not to  
recognize  
certain per-  
sons as nota-  
ries.

" From and after the date of such last publication, the registrars, prothonotaries and clerks of all the courts of the Province, shall refuse to recognize as a practising notary, the person so removed or suspended."

Id., 3956,  
replaced.

**20.** Article 3956 of the Revised Statutes is replaced by the following :

Certain tariff  
to remain in  
force.

" **3956.** The tariff in force since the 5th day of August 1889, made according to law, shall remain in force until replaced in conformity with the provisions of this chapter."

Coming into  
force.

**21.** This act shall come into force on the day of its sanction.

## CHAP. 59

An Act to amend the law respecting physicians and surgeons  
of the Province of Quebec

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS there are at present in the universities of this Province attending medical courses, a number of students who commenced attending such medical courses before having obtained a certificate of admission to the study of medicine ;

Whereas the fact of their not having been regularly admitted to study medicine exposes them to lose the benefit of several years of medical studies ;

Whereas the said students were authorized to attend the said courses in the universities of this Province ;

Whereas for many years past this Legislature has regularized the position of a large number of students ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

College of  
Physicians  
and Surgeons  
of P. Q., may  
grant cer-  
tain licenses,  
&c.

**1.** Notwithstanding article 3978 of the Revised Statutes, the College of Physicians and Surgeons of the Province of Quebec shall grant the license and registration required for the practise of medicine, surgery, and obstetrics, to the persons who, being entered as medical students, and having commenced their medical course in a university of this Province before the first of November 1903, have obtained therefrom a diploma

of doctor of medicine, after having attended the courses, and studied the number of years required by the law and the regulations of the College of Physicians and Surgeons, and can establish that they have matriculated in letters and in sciences, having obtained the same after classical courses in one of the colleges of this Province, or that, having matriculated in only one of these branches, they had since passed, before the examiners appointed under the provisions of article 3979 of the Revised Statutes, a satisfactory examination upon the subjects of the other.

Nevertheless such persons shall also be entitled to undergo *Proviso*, such examination in a college of this Province, but they must take at least one half of the total marks.

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 60

An Act to amend the act respecting the College of Dental Surgeons of the Province of Quebec

[Assented to 14th April, 1908]

**H**IS Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 4055 of the Revised Statutes, as replaced by R. S. Q., the act 52 Victoria, chapter 40, section 1, and amended by 4055, the acts 55-56 Victoria, chapter 32, section 1 ; 57 Victoria, chapter 37, section 1 ; 59 Victoria, chapter 30, section 1 ; 62 Victoria, chapter 36, section 1 ; and 4 Edward VII, chapter 28, section 2, is further amended :

a. By replacing paragraph 2, by the following :

" 2. The Board shall consist of eleven members, of whom <sup>Composition</sup> nine shall be practising members of the College elected at a <sup>of Board.</sup> general meeting held for that purpose.

At least one of such members shall be domiciled in the district of Quebec, another in the district of St. Francis, Arthabaska or Bedford, seven in any part of the Province, and the two others shall be elected, one by the professors of the school of dental surgery of the University of Laval and the other by the professors of the dental school of McGill University.

No member of the College of Dental Surgeons who sells <sup>Certain per-</sup> dentists' supplies, and no professor of a dental college except

sons in-  
ligible.

as above mentioned shall be eligible as a member of the board."

Term of  
office.

b. By replacing paragraph 5, by the following :

" 5. The nine elective members of the board shall remain in office for one year.

Members of  
board re-  
eligible.

They are eligible for re-election, and shall remain in office until the election of their successors at the next general election as fixed by paragraph 8 of this article."

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 61

An Act to amend the law respecting land surveyors and the survey of lands

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 4084,  
replaced.

**1.** Article 4084 of the Revised Statutes as replaced by the act 52 Victoria, chapter 41, section 1, is again replaced by the following :

Meaning of  
"surveyor."

" **4084.** The word "surveyor" in this section means a Quebec Land Surveyor ("Q. L. S."), in French "Arpenteur-Géomètre (A. G.)".

Id., 4088,  
replaced.

**2.** Article 4088 of the Revised Statutes, as replaced by the act 2 Edward VII, chapter 26, section 3, is again replaced by the following :

Board of  
management,  
&c.

" **4088.** The members elected upon the board of management are eleven in number, from among whom are chosen a president, two vice-presidents, one, two or three syndics, as may be necessary, and a secretary-treasurer.

From whom  
secretary-  
treas., &c.,  
may be  
chosen.  
Honorary  
president.

Nevertheless the secretary-treasurer and the syndics, may be chosen from among the members of the corporation not forming part of the board of management, if the board thinks proper.

The minister having the control of the survey of lands or, in his absence, the deputy-minister, is *de jure* honorary president of the corporation."

Id., 4089,  
amended.

**3.** Article 4089 of the Revised Statutes, as replaced by the

act 2 Edward VII, chapter 26, section 4, is amended by adding thereto the following paragraph :

"The retiring members shall be eligible for re-election." Members re-eligible.

**4.** Article 4091 of the Revised Statutes, as replaced by the Id., 4091, act 52 Victoria, chapter 41, section 4, and amended by the act replaced. 2 Edward VII, chapter 26, section 5, is again replaced by the following ;

"**4091.** The annual general meetings of land surveyors Annual general meeting, &c. both for the election of the members of the board of management, when necessary, and for the despatch of business, shall be held in the city of Quebec or at any other place chosen by the board of management, on the second Wednesday of April in each year, or, if such Wednesday be a non-juridical day, on the next juridical day, at the place and hour determined by the notice thereof given by the secretary-treasurer. The board of management shall hold a meeting the day before for the despatch of business.

Such meetings are presided over by the president of the President of board, or, in his absence, by one of the vice-presidents, and, in meeting. board, or, in his absence, by one of the vice-presidents, and, in their absence, by the senior member of the board or of those present.

The election shall be held in the manner determined by the Election, by-laws of the corporation." how held.

**5.** Article 4094 of the Revised Statutes, as replaced by the Id., 4094, act 52 Victoria, chapter 41, section 5, is again replaced by the following :

"**4094.** The board of management shall meet at least once Meetings of a year in the city of Quebec, or elsewhere if it thinks proper, on board of the first Tuesday of June, or on the following juridical day, if management. such Tuesday be a non-juridical day, for the despatch of business and for the examination of candidates for admission to the study and practice of the profession."

**6.** Article 4098 of the Revised Statutes, as replaced by the Id., 4098, act 2 Edward VII, chapter 26, section 7, is amended by adding thereto the following paragraph :

"If the vacancies in the board of management are such Vacancies that there is no quorum, the general meeting shall fill each in board. vacancy, and, under such circumstances, the secretary-treasurer shall call a general meeting within the shortest possible delay."

**7.** Article 4111 of the Revised Statutes is replaced by the Id., 4111, following :

"**4111.** No candidate shall be admitted to the study of Qualifications of land surveying, unless he is sixteen years of age, and unless he candidate for

admission to study. has passed an examination, to the satisfaction of the board of management, upon the following subjects: universal geography—the histories of France, England and Canada—the history and the principles of French or English literature.

The candidate shall moreover, have a sufficient knowledge of one of the official languages, and must be able correctly to translate English into French or French into English according as he shall choose French or English for his examination.

Certain persons exempted from certain examination.

Every candidate who shall have taken the degree of Bachelor of Rhetoric in a classical college in this Province, and shall have taken the number of marks required to obtain the degree of Bachelor of Letters, and who shall produce a satisfactory certificate to that effect, need not pass an examination on the subjects mentioned in this article."

Id., 4112, replaced.

**8.** Article 4112 of the Revised Statutes, as replaced by the act 52 Victoria, chapter 41, section 7, is further replaced by the following :

Further examination.

"**4112.** Every candidate for admission to study shall further pass an examination, to the satisfaction of the board of management, on arithmetic, on algebra as far as quadratic equations inclusively, on the theory and use of logarithms, on plain geometry, and on plane trigonometry."

Certain persons exempted from certain examination.

"**4112a.** Students of the universities of this Province, or of colleges affiliated thereto, who shall have obtained the degree of Bachelor of Science, or of Arts, and have taken 60 per cent of the marks granted for mathematical subjects, and who produce a certificate to that effect, may be admitted as surveyors' clerks without passing the examination on the subjects prescribed by articles 4111 and 4112."

Id., 4113, replaced.

**9.** Article 4113 of the Revised Statutes, as replaced by the act 52 Victoria, chapter 41, section 8, is again replaced by the following :

Notice by candidate for admission, &c.

"**4113.** The candidate for admission to study, who wishes to pass the preliminary examination, shall, at least one month before the day fixed for such examination, notify in writing, the secretary of the corporation, of such intention, and at the same time forward him the sum of one dollar for the noting and production of said notice before the board of management."

Id., 4114, replaced.

**10.** Article 4114 of the Revised Statutes, is replaced by the following :

Fee payable by candidate.

"**4114.** On presenting himself for examination, the candidate shall pay the sum of twenty dollars into the funds of the corporation, as an examination fee."



**11.** Article 4117 of the Revised Statutes, as replaced by the Id., 4117, act 52 Victoria, chapter 41, section 9, is amended by adding thereto the following paragraph :

"The candidate for practice shall also be examined on theoretical and practical astronomy ; and, beginning with the examination to take place in 1912, students shall also pass an examination on the following subjects, namely : analytical geometry, descriptive geometry, differential calculus, physics, chemistry in its relation to minerals, the elements of mechanics, free hand drawing, and the drawing of plans."

**12.** Article 4118 of the Revised Statutes, is replaced by the Id., 4118, following :

"**4118.** Each candidate for practice is bound to make, to the satisfaction of the board of management, a survey on the ground and to produce a plan thereof with his field notes."

**13.** Article 4119 of the Revised Statutes, is replaced by the Id., 4119, following :

"**4119.** Every candidate for practice must also have regularly and faithfully served, during four consecutive years, as a student, under notarial indentures, with a land surveyor duly admitted to practise for the Province, and being a member of the corporation entitled to practice ; have received from such land surveyor a certificate of service during such period ; and have had one year's practice in the field in the Province of Quebec, either with his patron or with any other land surveyor who is also a member of the corporation and entitled to practice."

The candidate shall give at least one month's notice to the secretary of his intention to present himself for examination, and with such notice forward the sum of one dollar."

**14.** Article 4124 of the Revised Statutes, as replaced by the Id., 4124, act 2 Edward VII, chapter 26, section 8, is again replaced by the following :

"**4124.** Whosoever has followed a regular course of studies in all the branches of science required by law in order to be received as a land surveyor, in any university, college, polytechnic or other school, in this Province, where a complete course on theoretical and practical surveying is given, or who, being resident in the Province of Quebec, has followed the course of study in the Royal Military College of Kingston, and who has received from such university, college or school, after a regular examination, his diploma or degree as a civil engineer, land surveyor or bachelor of applied science or who has been admitted as a member of the Canadian Society of Civil Engineers in virtue of

the act 61 Victoria, chapter 32, shall be bound, after obtaining such degree or diploma, to serve under indentures for twelve months only, eight of which shall consist of active service in the field. At the expiration of said twelve months, such person has the right to present himself before the board of management and to undergo the examination required by law, and to be admitted to practise as a land surveyor in the Province, if his examination is considered satisfactory. Every person privileged to undergo only one examination before the board of management for admission to practice surveying, shall pay thirty dollars as the fee for such examination."

Id., 4128,  
replaced.

**15.** Article 4128 of the Revised Statutes, as amended by the act 2 Edward VII, chapter 26, section 12, is replaced by the following :

Surveys, &c.,  
must be by  
land-sur-  
veyor.

" **4128.** No survey, nor any operations coming within the functions of a land surveyor of this Province, as defined by article 4128a, shall be valid unless performed by a land-surveyor duly admitted to practise in the Province by law and the regulations of the corporation, or made under his immediate personal supervision.

Surveyors  
forbidden to  
sign, &c.,  
certain docu-  
ments.

Every surveyor is, under the penalty of the nullity of his proceedings and of suspension by the board of management, prohibited from signing or certifying any documents whatever, connected with any surveying operation which he has not himself performed or which has not been carried out under his immediate personal supervision or which has been undertaken by a person not a surveyor."

Id., 4128a,  
replaced.

**16.** Article 4128a. of the Revised Statutes, as enacted by the act 52 Victoria, chapter 41, section 13, is replaced by the following :

Certain  
surveys, &c.,  
within exclu-  
sive province  
of land-sur-  
veyors.

" **4128a.** All surveys of lands, measurements for boundary purposes, setting of boundaries, plotting of plans, plans, copies of plans, *procès-verbaux*, reports, technical descriptions of territories, and all documents or surveying operations connected with the scaling of rivers and lakes, and, generally, all operations whatever connected in any way whatever with the bounding, measuring, laying out and picketing of lots, and the calculation of the area of lands, in the Province and the cadastral division, subdivision, re-division, and re-subdivision of such lands, fall within the attributes of a land-surveyor of the Province and shall not be undertaken or executed except by a surveyor as prescribed by article 4128.

Only sur-  
veyors' plans  
to be deposit-  
ed, &c., in  
certain cases.

Provido.

Provided however that nothing in this article contained shall be interpreted as applying to plans prepared under the provisions of chapter 37 of the Revised Statutes of Canada 1906, respecting railways, and its amendments.

**17.** The following article is inserted in the Revised Statutes Id., art. inserted after article 4142, as replaced by the act 52 Victoria, chapter 41, section 15. <sup>art. 4142.</sup>

**" 4142a.** Any person not being a land-surveyor duly qualified to practice his profession, who places or plants boundaries as described in article 4141, shall be liable to a fine of not more than fifty dollars and, in default of payment, to imprisonment for not more than two months." <sup>Penalties in certain cases.</sup>

**18.** Article 4147 of the Revised Statutes, as replaced by Id., 4147, the act 2 Edward VII, chapter 26, section 17, is amended by par. added. adding thereto the following paragraph :

" The land-surveyor, in the performance of his duties, shall keep notes, in a note-book used for that purpose, of all his surveying work, even if he is not called upon to place boundary marks or monuments, mentioning the date of his operations, the names of the parties for whom he did the work, and a description of the land upon which he worked." <sup>Surveyor's field-notes.</sup>

**19.** Article 4152 of the Revised Statutes is replaced by the following : <sup>Id., 4152, replaced.</sup>

**" 4152.** The land-surveyor employed to make any survey in a township, shall govern himself by the surveys made according to competent authority. In every surveyed township, the original lines, whether internal or external, which have been run, established or re-established, on the ground, under instructions issued by the competent authority, and accepted by it, shall be and remain the true lines of such township, whether they are or are not in conformity with the lines mentioned in said instructions ; and every post, boundary mark or monument, planted in execution of such instructions by a duly qualified land-surveyor, are declared to be true, and shall not be removed except by the competent authority ; and if such lines, posts, boundaries, or monuments are obliterated, effaced, lost or removed, the re-establishment thereof shall be effected according to articles 4153, 4154. 4155 and 4156. <sup>Running of lines, &c., in townships.</sup>

By competent authority is meant the Legislature, or the Lieutenant-Governor in Council, or a court of law." <sup>"Competent authority" defined.</sup>

**20.** Article 4158 of the Revised Statutes is replaced by the following : <sup>Id., 4158, replaced.</sup>

**" 4158.** The side lines of lots in a township shall be established and traced on the azimuth or bearing of the lines, which, in the instructions for the survey of such township is indicated as governing the side lines in each range which it effects. This guiding line shall be either one of the outside lines of the township or a central line, or some other line, according as the <sup>Side lines of townships.</sup>

side lines of the lots are shown on official plans deposited among records of surveys, as lines parallel to one or other of such lines.

Future surveys of townships.

This means of establishing the side lines of lots shall be the only one followed in townships surveyed after the coming into force of this act."

Id., 4159, replaced.

**21.** Article 4159 of the Revised Statutes is replaced by the following :

Certain side lines valid.

" **4159.** The side lines of the lots established before the coming into force of this act, in accordance with the law in force when they were established, shall be and remain valid.

Certain method of running boundary lines in certain cases.

Moreover when, before the coming into force of this act, the side lines of one or more lots in a range of a township, have been established before any other line, in accordance with the usage followed in some parts of the Province from a part of one range to the corresponding one in the adjoining range above or below, and such lines have not been revoked by judicial authority, the land-surveyor establishing the side lines of such range shall follow the same method of division in running the boundary lines of the lots remaining to be bounded in the same range. Except as aforesaid, the side lines of lots shall be established according to the provisions of article 4158."

Id., 4164, replaced.

**22.** Article 4164 of the Revised Statutes is replaced by the following :

Limits of lot.

" **4164.** The side lines established as aforesaid, from the posts marking a lot on the front of a range, to the rear line of such range, shall form, with the part of such latter line, between the side lines and the posts of the front line between the said posts, the limits of such lot."

Id., 4167, repealed.

**23.** Article 4167 of the Revised Statutes is repealed.

Id., 4170, amended.

**24.** Article 4170 of the Revised Statutes, as replaced by the act 52 Victoria, chapter 41, section 19, is amended by adding thereto the following paragraph :

Sale, &c., of records to land-surveyor, &c.

" Nevertheless, a land-surveyor, during his life-time, or his heirs after his death, may sell or give such set of records to another land-surveyor if they think proper. In such case the person who so becomes owner of such set of records, shall give notice thereof to the prothonotary of the district."

Certain acquired rights not affected, &c.

**25.** Nothing in this act shall affect the acquired rights of surveyors' clerks indentured before April, 1909. Nevertheless the date fixed for the examinations shall be strictly followed after the coming into force of this act.

**26.** Nothing in this act contained shall be interpreted as Privileges of affecting the rights and privileges granted by law to the mem- Can. Soc. of bers of the Canadian Society of Civil Engineers. C. E. not affected

**27.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 62

### Act to amend the Cities and Towns' Act 1903

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The following article is inserted in the act 3 Edward VII, 3 Ed. VII, chapter 38, after article 58 :

" **58a.** The office of [mayor or alderman also becomes c. 38; s. inserted after s. 58. Other causes of vacancy.  
vacant:

*a.* In case of refusal to accept such office, or of refusal to continue to perform the duties thereof.

*b.* In case of absence from the municipality, for three consecutive months, without the permission of the council."

**2.** Article 262 of the said act is replaced by the following : Id. s. 262, replaced.

" **262.** Every person who aids, abets, counsels or procures the commission by any person of the offence of personation, shall be liable to a penalty not exceeding two hundred dollars and not less than fifty dollars, and to imprisonment for a term not exceeding two years and not less than three months." Aiding personation.

**3.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 63

An Act to amend article 360 of the Cities and Towns' Act,  
1903

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

3 Ed. VII, c. 38, s. 360 amended. 1. The English version of article 360 of the act 3 Edward VII, chapter 38, is amended by replacing the word : "ten," in the first line, by the word : "eight."

Coming into force. 2. This act shall come into force on the day of its sanction.

## CHAP. 64

An Act to amend the Quebec Companies' Act, 1907

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c. 48, s. 19, amended. 1. Article 19 of the act 7 Edward VII, chapter 48, is amended by replacing the words : "The charter of the company shall be forfeited," in the first line, by the following : "Unless another delay be specified in the letters-patent, or in an act of this Legislature incorporating a company, the charter of the company shall be forfeited *de jure*."

Coming into force. 2. This act shall come into force on the day of its sanction.

## CHAP. 65

An Act to amend the Quebec Companies' Act, 1907

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Form C of the act 7 Edward VII, chapter 48, is amended <sup>7 Ed. VII, c. 48, form C., amended.</sup> by adding after the word "dollars", in the tenth line, the words : "and with its principal place of business in the Province of Quebec at (*name of city, or as the case may be*)."

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 66

An Act to amend the act 4 Edward VII, chapter 34, respecting Extra-Provincial Corporations and Joint-Stock Companies

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The act 4 Edward VII, chapter 34, is amended by <sup>4 Ed. VII, c. 34, s. added after s. 5.</sup> inserting the following section after section 5 :

"5a. If an extra-provincial corporation, licensed in virtue <sup>Change of name by extra-provincial corporation, &c.</sup> of this act, changes its name, it shall send to the Provincial Secretary a copy of the document establishing that such change has been legally effected, and such copy shall be certified by the officer who has charge of the original.

A new license may then be granted by the Lieutenant-Governor in Council, and notice thereof shall be given by the <sup>New license &c.</sup> Provincial Secretary in the *Quebec Official Gazette*."

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 67

An Act to amend the Quebec Mining Companies' Act.

[Assented to 14th April. 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

63 V., c. 33, s. 3, amended.      1. Section 3 of the act 63 Victoria, chapter 33, is amended, by adding thereto the following words : " incorporated before the first day of July, 1907, and the Quebec Companies' Act, 1907, applies to mining companies incorporated since the first day of July, 1907."

Coming into force.      2. This act shall come into force on the day of its sanction.

## CHAP. 68

An Act to amend the Revised Statutes respecting cemetery companies

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., art. 5260.      1. The following article is inserted in the Revised Statutes inserted after article 5260.

Authoriza-  
tion of trans-  
fer, &c., of  
cemetery  
land.      " 5260.a. The Lieutenant-Governor in Council may also, upon a petition being made to him, after the publication of the notice mentioned in article 5260, authorize any such company to transfer to the *œuvre et fabrique* of a parish or to any other duly constituted authority of any religious denomination, a part of the land of its cemetery, provided that such portion of land has already been devoted to the uses of such religious denomination."

Proviso.

Coming into force.      2. This act shall come into force on the day of its sanction.



## CHAP. 69

An Act respecting insurance companies, mutual benefit societies and charitable associations, in the Province of Quebec

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## SECTION I

## INCORPORATION OF JOINT STOCK INSURANCE COMPANIES

1. The Lieutenant-Governor in Council may, on the recommendation of the Provincial Treasurer, issue letters patent under the great seal, granting a charter to not less than five persons being subscribers for shares in the future company, who have applied therefor, for the purpose of undertaking and transacting one of the groups of insurance mentioned in article 7.

2. Before the application is considered, the applicants shall prove that they have published in the *Quebec Official Gazette*, during four consecutive weeks, a notice signed by them setting forth their intention to apply to the Lieutenant-Governor in Council for the incorporation of an insurance company under this act.

3. Such notice shall set out :

a. The proposed corporate name of the company which shall not be that of any other company or a name that may be confounded with that of any other company or otherwise on public grounds objectionable ;

b. The names in full, address, domicile and occupation of each applicant ;

c. The kind of insurance proposed to be transacted ;

d. The place within the Province where the head office of the company is to be ;

e. The amount of the company's capital stock, the number of shares into which the capital is to be divided and the amount of each share.

Contents of  
notice:

Incorporation of insurance companies by letters patent.

Notice of application.

Filing of  
other docu-  
ments re-  
quired

4. In addition to the documents which are ordered to be filed by this act, the applicants must also file all other documents the filing of which may be ordered, from time to time, by the Lieutenant-Governor in Council.

Certain pro-  
vision in  
letters  
patent.

5. The said letters patent shall contain a provision to the effect that they shall come into force only from the date when a license shall have been granted to the company on payment of the dues specified by the Lieutenant-Governor in Council.

Directors.

6. 1. The affairs of every company so incorporated shall be managed by a board of not less than five nor more than fifteen directors.

Provisional  
directors.

2. The first five of the persons named in the letters patent shall be the directors of the company until they are replaced by others duly appointed in their stead.

After direct-  
ors.

3. The after directors of the company shall be elected by the shareholders in general meeting of the company assembled, at such times, in such wise and for such term, not exceeding two years, as the by-laws of the company may prescribe.

Qualification  
of directors.

4. While in office, the directors must be *bonâ fide* holders, in their own name, of at least ten shares in the company's capital stock on which all calls have been paid. When a director ceases to hold said number of shares, his office shall become vacant *ipso facto*.

General  
meetings.

5. The general meetings of the company shall be called and held in the manner mentioned in article 10.

7 Ed. VII c.  
48, to apply.

6. Except where otherwise specially provided in this act, the Quebec Companies' Act, 1907, shall apply to companies incorporated in virtue of this section.

Capital  
stock.

7. The capital stock of any company incorporated under the foregoing articles shall be as follows :

1. If the company undertakes fire, or fire and inland marine, or accident, or life, or life and accident, or guarantee or suretyship insurance, the capital stock shall be at least five hundred thousand dollars, with power to increase the same to one million dollars with the consent of the Lieutenant-Governor in Council; and, before applying for a license, the company shall furnish the inspector satisfactory evidence that at least three hundred thousand dollars of the said capital stock has been subscribed for and taken up *bonâ fide* and that thirty thousand dollars of the subscribed stock has been paid into some chartered bank of Canada.

2. If the company undertakes live-stock insurance, with or without insurance on vehicles, the capital stock shall be at least three hundred thousand dollars, with liberty to increase the same, as in paragraph 1 of this article, to five hundred thousand dollars, of which, as in said paragraph, one hundred and fifty thousand dollars shall be shown to have been subscribed, and fifteen thousand dollars to have been paid into some chartered bank of Canada.

3. If the company (being other than as in the preceding or following paragraphs) undertakes insurance against any loss or damage to property by accidental causes, including explosions, larceny, house-breaking or burglary, the capital stock shall be at least one hundred thousand dollars, with liberty to increase the same, as in paragraph 1, to two hundred and fifty thousand dollars, of which, as in the said paragraph, sixty thousand dollars shall be shown to have been subscribed, and eleven thousand dollars to have been paid into some chartered bank of Canada.

4. If the company undertakes bicycle or vehicle insurance, or plate glass insurance, the capital stock shall be at least twenty-five thousand dollars, with liberty to increase the same as in the said paragraph 1, to one hundred thousand dollars, of which said sum of twenty-five thousand dollars, twelve thousand dollars at least shall be shown to have been subscribed, and six thousand dollars at least to have been paid into some chartered bank of Canada.

5. The shares of the capital of every company formed under the provisions of this act, shall be of one hundred dollars each, and the liability of every shareholder shall be limited to the amount remaining unpaid on his shares.

8. 1. The corporate powers of any company or association, <sup>Lapse of</sup> whether incorporated under this act or under a special act, <sup>powers.</sup> shall lapse except for the purpose of winding up its affairs :

- a. By non-user for three years after incorporation ;
- b. If, after it has undertaken contracts within the meaning of this act, it discontinues business for one year ;
- c. If its license is suspended for one year or if it is terminated otherwise than by lapse of time and is not renewed within sixty days.

In any action or proceeding where such non-user is alleged, proof of user shall be upon the company or association, and the Superior Court, upon the petition of the Attorney-General or of any interested person, may limit the time within which the company or association shall settle

and close its accounts, and may, for this specific purpose or for the purposes of liquidation generally, appoint a liquidator, who shall proceed with the least possible delay to wind up the affairs of the company or association, under the direction of the inspector, in the same manner as the liquidator appointed under articles 227 and 228.

**Proviso.** 2. The corporate powers of any company or association incorporated in virtue of a previous act, shall not lapse by reason of non-user, until after three years from the coming into force of this act; subject, however, to contrary provisions in previous special acts.

## SECTION II

### INCORPORATION OF MUTUAL FIRE INSURANCE COMPANIES IN COUNTIES

Preliminary meeting to form company.

**9. 1.** Any twenty-five persons residing in the Province and being proprietors of immoveable property in any county therein, may call a meeting of the proprietors of immoveable property in that county, and of any number of adjoining counties not exceeding five, if they think it necessary, for the purpose of considering whether it is expedient to establish, in such county or counties, a fire insurance company on the principle of mutual insurance.

Certain evidence required before meeting.

2. Before calling such preliminary meeting, it must be established to the satisfaction of the Provincial Treasurer, that there is no mutual fire insurance company doing business in such territory in an effective manner and that it is expedient to allow the organization of such a company.

Permission of Provincial Treasurer to hold meeting.

3. The preliminary meeting cannot be called without the written permission of the Provincial Treasurer to that effect.

Advertisement of meeting.

**10.** Such meeting shall be called by an advertisement mentioning the time, place and object thereof, and published, during three weeks immediately preceding the meeting, in at least two newspapers published in French and English respectively in the district in which the meeting is to be held and, if no newspaper be published therein, then in two newspapers, published as aforesaid, in the adjoining district or districts.

Number of proprietors who can decide to establish company.

**11.** If, at such meeting, there be at least fifty proprietors of immoveable property present, and at least two-thirds of them determine that it is expedient to establish such company, they may elect three of their number to open and keep a subscription

book, in which the owners of immoveable property within such county or counties may sign their names, and enter the sums for which they shall be respectively bound to effect insurance with the company.

**12.** Whenever two hundred such persons have signed their names in the said subscription book, and bound themselves to effect insurance in the said company to the amount of two hundred thousand dollars or upwards, a meeting of such subscribers shall be called, as hereinafter provided.

**13. 1.** As soon as possible after the subscription book has been completed, any ten of the subscribers thereto may call the first meeting of the company, by sending a printed notice by mail, addressed to each subscriber at his post office address, at least ten days before the day of such meeting, and by advertisement in two or more papers published as aforesaid.

**2.** Such notice and advertisement shall include the object of said meeting and the time and place at which it is to be held.

**14. 1.** At such meeting, the name and style of the company, including the appellations " Fire " and " Mutual ", shall be adopted, and a provisional secretary appointed.

**2.** A board of not more than nine nor less than five directors shall be elected, and the place in the county or counties where the head office of the company is to be located shall be chosen.

**3.** To constitute a valid meeting for the purposes of paragraph 1 of this article, at least twenty-five of the subscribers must be present.

**15.** Copies of the resolutions, adopting such name or style and the place of the head office of the company, and of such subscription book, and the names of the directors elected, shall thereupon be made ; and such copies, being certified as correct under the hands of the chairman and secretary, shall be filed in the office of the registrar of the division or county in which the head office is to be.

**16. 1.** Upon the filing of the said certified copies, the several subscribers above mentioned and all persons thereafter effecting insurance therein, shall become members of the company and shall be a corporation by and under the name so adopted.

**2.** Before any other proceeding is had or any business transacted, the chairman and secretary shall also transmit or deliver like copies, certified by them, to the inspector of insurance, at his office, accompanied by a statement, signed by

such chairman and secretary, stating the kind and character of the risks intended to be taken by the company, that is to say whether the business to be transacted is the insurance of farm and isolated buildings and property only, or of commercial, manufacturing and hazardous properties as well.

Copy of certain permission to be sent to inspector.

3. The chairman and secretary shall also send to the inspector of insurance, a copy of the written permission from the Provincial Treasurer, mentioned in paragraph 3 of article 9.

Duty of inspector on receipt thereof.

**17.** Upon receipt of such certified copies and of the aforesaid statement, the inspector shall ascertain whether the proceedings for the incorporation of such company have been taken in accordance with the law in that behalf, and whether the subscriptions are *bonâ fide*, and by persons possessing property to insure, and whether the proposed name is the same as that of any existing company, or may be easily confounded therewith.

Declaration that may be required.

He may require the declaration of any person upon oath, to be filed with him, touching any matters concerning which he is called upon to make inquiry.

Certificate that section complied with, &c.

**18. 1.** If, upon such examination, the inspector finds that the provisions of this section have been complied with, and that the subscriptions have been made in good faith by persons entitled to make the same, and that the proposed name of the company is satisfactory, and that the company has made the deposit required by law, if a deposit is required, he shall so certify to the Provincial Treasurer.

Change of name in certain cases.

2. If, upon such examination, the inspector finds that the proposed name is one which may be easily confounded with that of an existing company, then he may require the directors of the company to select some other name, to be approved of by the Provincial Treasurer ; and they shall by resolution do so.

Filing of resolution.

3. Such resolution shall be filed in the registry office in like manner as the other proceedings are required to be filed.

License of Treasurer to Company, &c.

**19. 1.** Upon the inspector reporting to the Provincial Treasurer the facts aforesaid, the Provincial Treasurer may thereupon issue his license, in duplicate, to the company, setting forth that it has been made to appear to him that they have become a corporation under this section by the name of "The Mutual Fire Insurance Company of . . . . ." and that it has complied with the requirements of the law in that behalf, and that it will, from and after the filing of one of the duplicate copies of such license in the office of the registrar of the division or county within which the head office of such company is situate, be entitled to receive applications

and to issue policies of insurance, by complying with the provisions of article 172, and to transact all the business which a mutual fire insurance company, formed under this section, may lawfully do in respect of the kind or character of business mentioned in their statement to the inspector.

2. The license cannot be granted for a longer term than twelve months from the date of issue, but such license may always be renewed as hereinafter provided.

**20.** The inspector shall keep on file the said papers so furnished to him, and shall keep a book in which shall be entered the name of the company, the statement delivered by the company as to the character of the business to be transacted by it, and a copy of the Provincial Treasurer's license.

Papers, &c.,  
to be kept  
by inspector.

**21.** Subject to article 172 and to the other provisions of this section, any such company may, after receiving the aforesaid license and filing the same with the registrar as aforesaid, transact, throughout the Province, any business of a mutual fire insurance company of the kind and character mentioned in the license from the Provincial Treasurer.

When com-  
pany may  
begin busi-  
ness, &c.

Nevertheless, any such company may, at any time thereafter, apply to the Provincial Treasurer for a supplementary license to enable the company to extend its business to other classes of risks than those included in its license.

Supplement-  
ary license.

When any supplementary license is granted, it shall be recorded in the books of the inspector of insurance, and filed in the registry office in which the first license has been filed.

Recording  
thereof, &c.

Any existing company may, on application to the Treasurer, obtain a similar supplementary license on payment of the dues required by the Lieutenant Governor in Council.

Supplement-  
ary license to  
existing com-  
panies.

**22.** Upon the receipt of the license mentioned in article 19, the provisional secretary shall call a meeting of the board of directors for the election of a president and vice-president from among themselves, for the appointment of a secretary, and the transaction of such other business as may be brought before them.

Election of  
president, &c.

### SECTION III

#### CONVERSION OF MUTUAL FIRE INSURANCE COMPANIES INTO CASH-MUTUAL INSURANCE COMPANIES

**23. 1.** No mutual fire insurance company shall effect insurance on the cash premium system, the cash system or fixed premium system, except on the following conditions :

Business on  
cash pre-  
mium  
system, &c.,  
Conditions.

a. A by-law to that effect shall be adopted and approved by

the majority of the members present at a meeting called in the manner prescribed by article 173.

b. The sum specified in article 92 shall be deposited in the Treasury Department for the security of the insured.

c. The company shall have a capital stock in accordance with articles 29 and following, and its business shall be divided into two separate and distinct branches, one for the insured under the mutual system and the other for the insured under the non-mutual or cash system. No person insured under the non-mutual or cash system shall in any wise be a member of the company nor liable beyond the premium he is bound to pay, and no person insured under the mutual system shall be liable for losses incurred under the non-mutual or cash system.

d. A license shall be obtained from the Provincial Treasurer authorizing the mutual insurance company to do business under the non mutual or cash system.

e. The company shall be registered in the office of the Provincial Treasurer in accordance with articles 106, 107 and 108.

Security  
against  
losses.

2. Nevertheless the company shall not be bound to comply with the requirements of sub-paragraph c of paragraph 1 of this article, and all its property and assets, including deposit notes and undertakings shall secure all the losses which may take place on account of cash premium insurance when the company shall have accumulated and shall maintain the reserve mentioned in paragraph one of article 34, and the company shall then, after having complied with the requirements of article 37 if it thinks proper, allow, each year, to the insured under the mutual system, the profits on all its operations.

Report of  
inspector  
before license  
granted.

**24.** The license mentioned in article 23 shall be granted on a report from the inspector of insurance establishing that all the requirements of the law have been complied with.

Certain re-  
quirements  
to be com-  
plied with.

**25.** Every mutual fire insurance company incorporated under the laws of this Province or possessing a charter or additional powers from the Legislature of this Province, and doing business on the cash system, shall comply with the provisions of article 23 with respect to the risks it may renew and the new risks it may take after the coming into force of this act.

#### SECTION IV

### CONVERSION OF MUTUAL FIRE INSURANCE COMPANIES AND CASH MUTUAL FIRE INSURANCE COMPANIES INTO JOINT STOCK COMPANIES

Notice of ap-  
plication of  
mutual fire

**26. 1.** Any mutual or cash-mutual fire insurance company heretofore incorporated or organized, or which may be here-



after incorporated or organized, under any of the laws of this Province, having surplus assets, apart from premium notes or undertakings, representing one-third of the premiums on outstanding risks and sufficient to re-insure all such risks, after having given notice once a week for four consecutive weeks of its intention, and of the meeting hereinafter provided for, in the *Quebec Official Gazette* and in a newspaper published in the county where the company has its head office, with the consent of two-thirds of the members present at any regular annual meeting, and of two-thirds of the subscribers to the capital stock, or at any special general meeting called for the purpose, or with the consent in writing of two-thirds of the members of the company, and the consent also of three-fourths of the directors and of two-thirds of the subscribers to the capital stock, may make an application to that effect in its corporate name and be formed into a joint stock company, as provided in articles 1, 2, 3, 4 and 5 of this act, *mutatis mutandis* ; and every member of such company, on the day of such annual or special meeting, or the date of the written consent, shall be entitled to priority in subscribing to the capital stock of the company, for one month after the opening of the books of subscription to the capital stock, in proportion to the amount of insurance held by such members on unexpired risks in force on the day of the annual or special meeting, or the date of the written consent.

2. The notice mentioned in paragraph 1 of this article shall be published in the *Quebec Official Gazette* and in a newspaper published in the French and in another published in the English language in the locality ; and, if there be but one newspaper in the locality, or if all be published in the same language, in both languages in the same newspaper, or if there be no newspaper in the said locality, in a newspaper or newspapers of the nearest locality.

27. Every company which may be formed under the foregoing provision, shall be answerable for all the liabilities of the company from which it has been formed, and may be sued therefor by or under its new corporate name, and the assets, moveable and immoveable, of the old company shall pass to and become vested in the new company.

28. Article 6 applies to the companies incorporated in virtue of this section.

## SECTION V

POWERS GRANTED TO MUTUAL FIRE INSURANCE COMPANIES  
AND CASH MUTUAL INSURANCE COMPANIES TO FORM A  
STOCK CAPITAL AND A GUARANTEE CAPITAL OR  
RESERVE FUND—RE-INVESTMENT OF THE AN-  
NUAL PROFITS OF FIRE INSURANCE  
COMPANIES

Raising of  
capital stock  
by certain  
mutual, &c.,  
companies.

**29.** Any mutual or cash-mutual fire insurance company incorporated under this or any former act or which may hereafter be incorporated, may, with the prior assent of the Lieutenant-Governor in Council, raise a stock capital of not less than two hundred thousand dollars, and may, with the like assent, increase the same from time to time to a sum of five hundred thousand dollars ; provided that the provisions of articles 1, 2, 3, 4 and 5 of this act be complied with *mutatis mutandis*.

Shareholders  
members of  
company.

**30.** Every subscriber shall, on allotment of one or more shares to him, become a member of the company, with all incidental rights, privileges and liabilities.

Votes of  
shareholders.

Every shareholder is entitled to one vote per share at meetings of the company, provided all calls due on such share are paid up.

Shares  
moveable.

Their trans-  
fer, &c.

**31.** 1. The shares shall be moveable property, and shall be transferable, but no transfer shall be valid unless made on the books of the company ; and, until fully paid up, no share shall be transferable without the consent of the board of directors, nor shall any transfer be valid while any call previously made remains unpaid.

Privilege on  
shares for  
payment of  
calls, &c.

2. The company shall have a privilege on the shares of any shareholder for unpaid calls or other debts due by him to the company, and for any obligation held by the company against him ; and after any call, debt or obligation becomes due, the company may, upon one month's notice to the shareholder, his executors or administrators, sell his shares or a sufficient portion thereof to pay the call, debt or obligation, and transfer the shares so sold to the purchaser.

Forfeiture of  
shares for  
non-payment  
of calls, &c.

**32.** The company may also, after default made in the payment of any call upon any share for one month, and after notice has first been given as mentioned in article 31, declare the share and all sums previously paid thereon, forfeited to the company, and the company may sell or re-issue forfeited shares on such terms as they think fit for the benefit of the company.

**33.** After two hundred thousand dollars of the capital stock has been *bona fide* subscribed, and ten per centum paid thereon into the funds of the company, the company may, after complying with the provisions of article 23, insure for premiums payable wholly in cash ; but no insurance on the wholly cash principle shall make the insured a member of the company, or make him liable to contribute or pay any sum to the company or to its funds or to any of its members, beyond the cash premium agreed upon, or give him any right to participate in the profits or surplus funds of the company ; but the company shall not transact any business wholly on the cash principle without first procuring a license from the Provincial Treasurer pursuant to this act.

When cash premium insurance may be begun.

Insured not members of company, &c.

**34. 1.** The annual gains and profits of every fire insurance company (however incorporated or whatever its system of operations) less the deposit notes or other undertakings of an insurance company doing business under both plans, shall be applied in the first place to create a reserve fund of not less than the amount of unearned premiums upon outstanding risks, and of any sums which may be due to the company, provided that no part of the principal or interest of such sums has been paid the previous year, and that no suit for the recovery thereof has been taken, and that such sums have not remained unpaid for more than two years after judgment therefor has been rendered, including all current and accrued interest thereon.

Reserve fund.

**2.** No such company shall declare or pay a dividend upon its capital, exceeding ten per cent for any one year, unless it has, over and above the reserve fund created by paragraph 1 of this article, a surplus equal to thirty per cent of the unearned premiums on outstanding risks.

Payment of dividend over 10 per cent.

**3.** Every such fire insurance company which, in addition to its capital and its outstanding liabilities, has a special fund exceeding half the amount of all premiums upon risks in force, may increase its capital out of such special fund, and distribute such increase among its shareholders rateably in proportion to their respective shares, provided such increase is equal to at least twenty-five per cent of the original capital stock, and that it be approved by the Provincial Treasurer, and sanctioned by the vote of three-fourths of the directors of the company.

Increase of capital out of special funds, &c.

**4.** Every shareholder receiving a dividend paid contrary to the provisions of this article, shall be responsible to the creditors of the company to the amount of the dividend received by him, and shall be further liable to all penalties enacted by article 160 if he is an administrator, director or manager of the company.

Liability of shareholders receiving certain dividends, &c.

Qualification  
of certain  
directors.

**35.** After the capital has been subscribed in accordance with article 33, at least two-thirds of the persons to be elected directors of the company, in addition to the qualifications required by article 167, shall be holders of shares of the capital stock to the amount of one thousand dollars upon which all calls have been duly paid ; the other third of the directors to be elected shall possess at least the qualifications required by article 167.

Directors'  
by-laws of  
certain com-  
panies.

**36.** The board of directors of any company which shall raise a capital stock, may make such by-laws, not inconsistent with the provisions of this act, as may be necessary to carry out the objects and intentions of this act, and to give effect to the provisions thereof, and may rescind, amend or replace the same from time to time.

Guarantee  
capital, &c.

**37. 1.** The directors of any mutual fire insurance company, may in fixing the assessments, provide for the creation and maintenance of a guarantee capital or reserve fund made up of all the sums remaining in the possession of the company at the end of each year. after payment of its ordinary expenses and losses, and the object whereof shall be to make the assessments more uniform and to help the members in years where the losses are heavy.

Management  
thereof.

**2.** Such fund shall be managed by the directors in such manner as they may deem most advantageous to the company, but the yearly assessment for such fund shall not, at any time, exceed ten per cent of the amount of the deposit notes.

Investment  
thereof.

**38.** The directors may invest the reserve fund, mentioned in article 37, either wholly or partly, in debentures of the federal or provincial governments, or of municipal or school corporations of the Province of Quebec, and in accordance with the provisions of article 981o of the Civil Code.

#### SECTION VI

#### MUTUAL INSURANCE COMPANIES AGAINST FIRE, LIGHTNING AND WIND

##### § 1.—*Formation of the Company by Municipal Councils*

By-laws for  
establishing  
certain mu-  
tual insur-  
ance com-  
panies.

**39.** The council of any rural municipality, may make a by-law establishing a mutual insurance company in order to keep insured against accidents by fire, or fire and lightning, or fire, lightning and wind, any building situated upon taxable land within the municipality, as well as any grain, hay, fodder, household furniture and agricultural implements contained in such buildings.

**40.** The owners of property insured in each mutual insurance company established under the authority of this section, shall form a corporation known under the name of <sup>incorporation.</sup> Name.

"The Mutual Insurance Company of the *(here inserting the name of the municipality)*" and each such company shall be under the control of the municipal council of the municipality in which it is established.

It shall be administered by the council, and may sue and be sued, and its place of business shall be the same as that of <sup>By whom administered &c.</sup>

**41.** After the coming into force of such by-law, the council may order the valuers of the municipality to make, under their oaths of office, an appraisal of the buildings, by inserting in separate columns, on a special roll prepared for that purpose : <sup>Special roll for valuation of buildings.</sup>

1. A succinct description of each building situated upon any taxable land in the municipality ;

2. The value of each such building, and all information required by the council.

**42.** The special roll mentioned in article 41 may be amended <sup>Amendments thereto.</sup> by the council.

**43.** The council, after the completion of the roll, shall, at a public meeting duly convened, cause to be therein entered opposite the description or valuation of each building which it shall not deem advisable to insure, the words "objected to by the council", and opposite the description or valuation of each building, the proprietor of which applies to have it insured, the word "insured." <sup>Entries in roll at council meeting.</sup>

Such application shall be made in writing and be signed in presence of two witnesses. <sup>Form of application, &c</sup>

After such meeting, the secretary, upon a similar application in writing, shall enter, opposite the description or valuation of the building which is not objected to, and the proprietor of which applies to have it insured, the word "insured." <sup>Entries in roll after meeting.</sup>

**44.** From the time the word "insured" is entered as aforesaid, the building shall be insured under the provisions of this section until such time as the council or the proprietor discontinues the insurance as provided by the policy. <sup>Buildings insured.</sup>

**45.** Whenever a proprietor desires to get a building insured, of which the description and valuation are not entered upon the roll, he must cause it to be appraised by the valuers, who shall insert the description and value thereof in the roll ; and if the council, at its meeting, immediately after the <sup>Insurance of buildings not mentioned in rolls.</sup>

insertion of the description and valuation of such building in the roll, do not cause to be entered opposite the description and valuation of such building, the words "objected to by the council," such building shall remain insured dating inclusively from the day of such last meeting.

Insurance of  
grain, &c.

**46.** On demand of the proprietor, the secretary-treasurer may insure, under the prescribed formalities, the grain, hay and fodder, the produce of the harvest, and furniture, and also the agricultural implements contained in the buildings not objected to by the council, to the amount applied for, if the by-law establishing the insurance provide for the insurance of such articles.

Insured,  
members of  
company, &c.

**47.** The proprietors of property insured as aforesaid, shall be the members of the mutual insurance company. They shall alone be responsible, in proportion to the amount for which each of their properties is insured, towards the company, for the amount of damage caused by fire, or fire and lightning, or fire, lightning and wind, as well as for all debts and obligations contracted by the said company.

Responsi-  
bility of the  
company.

**48.** The company shall be responsible towards each of its members for two-thirds of the damages caused by fire, or fire and lightning, or fire, lightning and wind, to the buildings and moveable effects so insured, to an amount not exceeding two-thirds of the valuation of such buildings and moveable effects, as shown upon the said valuation roll.

Indemnity  
by council.

**49.** The council shall be entitled, for the benefit of the corporation, to indemnify it for all costs incurred in the management of the company, including the salary of the secretary-treasurer and that of the valuers, for such amount as it may deem reasonable, but which, in no case, shall exceed ten per cent of the amount collected by it for the company.

Reserve  
fund.

**50.** The council may, if authorized by the majority of the insured present at the meeting mentioned in article 43, levy twenty-five cents per one hundred dollars of the amount insured, to establish a reserve fund, and shall levy annually an amount sufficient to meet all the damages, the amount of which shall have then been established and to pay all the obligations and matured debts of the company.

Amount  
levied by tax.

This amount shall be levied by means of a tax imposed upon each building insured, in proportion to the amount of its valuation and of that of the valuation of its contents, as shown on the valuation roll.

**51.** The tax imposed in virtue of article 50 is assimilated to municipal taxes. It shall have the same privilege and the same rank without registration being required, and the amount, with legal interest from the time it has become due, shall be recoverable by the secretary-treasurer in the same manner as municipal taxes. Tax assimilated to municipal taxes.

**52.** Two or more of the mutual insurance companies, established under the authority of the present section, may enter into an agreement for the purpose of making one responsible towards the other, in proportion to the amount insured by each of them, for damages caused by fire, or fire and lightning, or fire, lightning and wind. Responsibility of companies towards each other.

**53.** The council may, from time to time, make any by-law necessary for the proper working of the company, and, in particular to determine the conditions on which a building shall become insured, when and in what manner a building which is insured may cease to be insured, and in what manner a member of the company may transfer his interest in the company, and generally all other by-laws not inconsistent with the present section. By-laws for working of the company, &c.

**54.** In villages, all neighboring buildings situated at a distance of less than fifty feet from each other, shall be valued separately and proportionately, in such a manner that their aggregate value shall not exceed three thousand dollars. Valuation of certain buildings.

## § 2.—*Formation of the Company by individuals*

**55. 1.** Twenty-five freeholders residing in any parish or local municipality in this Province, five of whom shall be provisional directors of an association formed with the view of establishing a mutual fire insurance company, may establish such company for the purpose of insuring the property, situated within such parish or local municipality, and also the properties outside the limits thereof, provided they be situated entirely within the county in which is situated the said parish or municipality, as well as the grain, hay, fodder, agricultural implements and furniture in or upon the properties aforesaid, which insurance company shall be known under the name of "The Mutual Fire Insurance Company of the parish or, of the local municipality of (as the case may be.)" What freeholders may form company.

**2.** All the provisions respecting mutual insurance companies contained in this act, shall apply to such companies in so far as they are not inconsistent therewith. Provisions applicable.

What insurances may be affected.

Special village rates.

Payment of certain losses limited.

**56.** The said company may insure against fire, lightning and wind, or against fire, lightning or wind separately.

The company may fix rates for policies of insurance in a village, at one hundred per cent. more than in a parish.

When the rate in the parish and in the village is the same, and several properties are destroyed at the same time in such village, the company shall not, if the total value of the properties so destroyed exceed the maximum fixed by the company, be obliged to pay, in all, more than such maximum, which maximum shall be divided between the parties insured whose property has been so destroyed, in proportion to the amount of their insurance.

Directors, members, &c.

**57.** The directors shall be members of the company and insured therein, for the time they hold office, to the amount of at least five hundred dollars.

By-laws.

Incorporation.

Notice.

**58.** The company may pass by-laws respecting the qualification of the persons who elect to form part thereof, and when forty persons, duly qualified according to such by-laws, shall have signed their names in the subscription books and the sums subscribed, for which they have bound themselves to effect insurance, amount to the sum of twenty-five thousand dollars or more, such persons and those who may thereafter become members of the company, shall, by effecting insurance therein, be considered a corporation according to the provisions of this section, provided that a notice be previously given in the *Quebec Official Gazette*.

Notices.

**59.** The required notices shall be published and posted at the door of the parish church after divine service in the forenoon, on a Sunday or holiday immediately before the meeting, and not otherwise or elsewhere.

Annual meetings.

**60.** Annual meetings of any such company may be held either on the day fixed by article 161, or any other day that may be fixed for the purpose by any by-law of the company.

### § 3.—Miscellaneous

Rules and regulations, &c.

**61.** In addition to the rights and powers granted to the company by the provisions respecting mutual insurance companies contained in this act, it shall also have power to make such rules and regulations as it deems necessary for the good working and proper administration thereof, and, from time to time, to repeal, amend or replace the same; provided always, that the said rules and regulations shall not be inconsistent with the laws, customs and usages in force in the Province.



**62.** Each company, so constituted, shall have its office <sup>Office of</sup> within the limits of the parish or other local municipality in <sup>company.</sup> which such company shall be established, and at the place which shall have been selected by the board of directors ; provided always, that so soon as the directors have selected a place for holding their office, they shall give public notice thereof on the following Sunday.

#### SECTION VII

#### MUTUAL BENEFIT ASSOCIATIONS AND CHARITABLE ASSOCIATIONS

##### § 1.—*Declaratory and interpretative*

**63.** This section does not apply to mutual benefit associa- <sup>Scope of</sup> tions, nor to charitable associations incorporated under a <sup>section.</sup> federal act or charter or which have made a deposit with the federal government, nor to those doing business in the Province with the Provincial Treasurer's authorization under section VIII, but it applies to all other mutual benefit or charitable associations in so far as the provisions thereof are not inconsistent with those enacted in their respective charters when such charters have been granted by a special act of this Legislature.

**64.** The following words, wherever they occur in this act, <sup>Interpreta-</sup> have the meaning hereinafter given to them : <sup>tion.</sup>

1. The words " mutual benefit association " designate any "Mutual association established with a view, by means of contributions <sup>benefit asso-</sup> from its members, of making provision for those of its members <sup>ciation."</sup> who are afflicted by sickness, accidents or reverses of fortune, and, in case of the death of members, for their widows and orphans or legal representatives.

2. The words " charitable association " designate any asso- <sup>"Charitable</sup> ciation established with a view, by means of voluntary contri- <sup>association."</sup> butions, subscriptions, gifts or donations from its members or from the public, of making provision for those afflicted by sickness, accident, or reverses of fortune, and for widows and orphans, or for rescuing from vice and reforming fallen women, for the prevention of cruelty to women and children, or for the purpose of attaining any other analogous object.

It is essential to mutual benefit associations and to charitable <sup>Require-</sup> associations that they be strictly mutual or charitable, as the <sup>ments as to</sup> case may be ; that they have no capital stock ; and that they <sup>certain asso-</sup> be in no way administered for purposes of speculation or gain. <sup>ciations.</sup>

## § 2.—Formation of Associations

Declaration of formation of association.

**65.** 1. Twenty persons at least may make and sign a declaration, setting forth their intention of establishing, in this Province, a mutual benefit association or a charitable association.

Contents of declaration.

2. Such declaration must set forth :

(a) The name of the association ;

(b) Its purpose ;

(c) The names, surnames and addresses of at least three persons and not more than nine, who are to be the first directors, and the names, surnames and addresses of the persons who are to be the first president and first secretary ;

(d) The place where its head office is to be.

Authorisation by Lieut.-Gov. upon petition, &c.

3. Upon petition, accompanied by the declaration, praying the Lieutenant-Governor in Council to authorize the formation of the persons signing the declaration and of those who associate themselves therewith or succeed them, into a mutual benefit association or charitable association, and, upon a report of the inspector thereupon, if the Provincial Treasurer deems it advisable to exact one, the Lieutenant-Governor in Council may grant the authorization prayed for.

Notice of authorization how to be published, &c.

4. Notice that the authorization has been granted shall be published by the Provincial Treasurer in the *Quebec Official Gazette*, according to form A of this act and, after such publication, shall be deposited by the petitioners in the office of the prothonotary of the Superior Court of the district in which the head office of the association shall be situated, and, from and after the publication of such notice and of such deposit, it shall be a mutual benefit association or charitable association, as the case may be.

Publication at whose expense.

5. The publication, deposit and registration of the notice required by this article, shall be made at the expense of the association.

Branches of association.

**66.** The association may establish and maintain branches thereof to promote the objects for which it was authorized to become constituted, on condition that it deposits in the office of the prothonotary of the Superior Court of the district in which any branch is established, a copy of the notice published in the *Quebec Official Gazette*.

## § 3.—Powers and privileges

Seal of association.

**67.** Each association shall have a common seal, which it may change and alter at pleasure.

Perpetual

Under the name by which it is designated in the notice

published in the *Quebec Official Gazette*, it shall have perpetual succession, and may contract, and may sue and be sued in any court of justice.

**68.** The affairs of the association shall be managed by a Directors. board of directors, composed of the number of directors determined by the association who are elected at the general meeting of the association, to be held at the time and place established by the rules of the association.

Five directors shall form a quorum.

Quorum.

**69.** The first meeting for the election of directors shall be held within two months after the constitution of the association ; and such directors shall remain in office until they are replaced at the first annual meeting.

**70.** The directors shall select from among themselves a president and a vice-president, and shall appoint a secretary-treasurer or a secretary and a treasurer, and all other officers of the association.

**71.** The members of the association may make, amend or repeal rules or regulations necessary for the government and for conducting the business of the association and its branches.

**72.** Such rules and regulations shall not contain anything in violation of the laws or customs of this Province, or be directed to the furtherance of any political or seditious object whatsoever.

**73.** The association may require its officers, in accordance with article 144, to give security for such sums of money or other property of the association as may be placed in their hands or under their control, on behalf of the association.

**74.** The association may acquire and take, by purchase, donation, devise or otherwise, and hold for its use, and according to the rules and regulations thereof, moveable property, and also immoveable property in this Province not exceeding, in annual value, the sum of ten thousand dollars. It may sell and alienate such property, and may acquire other property in place thereof ; but the immoveables so acquired shall not exceed in annual value the sum above determined.

**75.** No member of any association shall, in his individual capacity, be liable for any debt or liability of the association.

**76.** The printed or written rules of such association, and the

rules, evidence in certain cases.

appointment of any officer, or the enrolment of any member, certified under the hand of the presiding officer and the seal of the association, and the books, minutes and other documents of the association, relative to any matter then in question, may be received in evidence in any proceedings in any court.

§ 4.—*Benefits conferred upon members by mutual benefit associations*

Benefits not  
seizable, &c.

**77.** The benefits conferred by mutual benefit associations incorporated in the Province under article 65 or by special charter, or constituted outside the Province and carrying on business in the Province after the fulfilment of the formalities required in favor of their members or the widows, heirs and assigns of such members, are not liable to seizure for the debts of such members or for those of the parties benefited.

Benefits assignable.

Any member and the parties benefited may join in assigning all rights to such benefits.

May be bequeathed by will in certain case.

Any member may dispose, by will or otherwise, of the benefits accruing from the association if the parties benefited were to predecease him.

Aid or assistance limited in certain cases.

**78.** In mutual benefit associations formed in this Province under article 65 or by special charter, or constituted outside the Province and carrying on business in the Province after the fulfilment of the formalities required, the aid or assistance paid to such members for any purpose cannot exceed the amount to be raised for that purpose after deducting the costs of management chargeable to that service.

Separation of accounts.

**79.** Every association shall keep and divide its accounts so that each kind of assistance or benefit granted to the members may be separately managed and be the object of a distinct service or fund.

Separate service for general expenses.

**80.** In addition to the assistance funds in case of sickness, indemnities to heirs of deceased members or other kinds of mutual assistance, a separate service shall be established for the general expenses which are to be paid each month by special contributions or revenues collected for that purpose, and without the other services being in any way affected.

Liquidation of service, &c.

**81.** Whenever a distinct service or special fund shall cease to maintain itself in a satisfactory manner, the association may liquidate the same without, for that reason, losing its corporate existence.

Subscription

**82.** The rules of the association may allow its members to

subscribe to either of the special services mentioned in article 80 or to all and each of them at a time, whilst allowing any such members to cease belonging to any particular service, without losing their other rights as members.

**83.** With respect to the associates and between themselves, Each service, each service or fund shall only be liable for its own debts, &c., liable for its own debts except in the case of a general liquidation, in which case all the funds shall be liable for the general debts, only however after the payment by each fund, of its own debts.

**84.** The members of the committee of management or board Members of of directors of the association, are jointly and severally respon- committee, sible for any payment made in contravention of article 78, &c., personal- ly liable in and may, upon suit brought by any member thereof, be con- certain cases. demned to reimburse to the association any sum so paid.

#### SECTION VIII

#### MUTUAL BENEFIT ASSOCIATIONS INCORPORATED IN ANOTHER PROVINCE OF THE DOMINION OF CANADA

**85.** Mutual benefit associations incorporated in another Certain ex- Province of Canada which authorizes mutual benefit associa- tra-provin- tions of the Province of Quebec to transact business within its cial associa- limits on conditions similar to those set forth in this act, may tions, may be authorized be authorized to carry on business in this Province. for Province.

**86.** The license conferring such authority is granted on License application to the Provincial Treasurer provided the associa- therefor. tion : Conditions thereof.

a. 1. Has deposited in the hands of the Provincial Treasurer the sum fixed by sub-paragraph *h* of paragraph 4 of article 92;

2. Has selected a head-office in the Province of Quebec and has appointed a chief agent in accordance with article 111 ;

3. Has paid to the Provincial Treasurer the fee fixed by the Lieutenant-Governor in Council, which shall be kept by the said Treasurer whenever such license is granted

b. Has, without interruption, during the five years preceding the application, carried on and continued to carry on operations in the Province in virtue of the laws whereof it is incorporated, has been solvent during such time, and is not actually insolvent or on the point of becoming so ;

c. Insures its members only ,

d. Does not grant insurances and does not pay indemnity for any other cause than illness, infirmity, death or funeral

expenses, and does not insure the same life for more than three thousand dollars ;

*e.* Undertakes no endowment insurance or other endowment contract, or any annuity on one or more lives, or undertakes no investment bond, tontine contract or semi-tontine contract or any marriage-aid contract ;

*f.* Has more than five hundred members inscribed on its rolls in good standing ;

*g.* Is not the property of its officers, its collectors or any other person for his own benefit ; is not managed as a mercantile or business enterprise or for the purpose of mercantile profit, and does not have its funds under the control of persons or officers appointed for life, but really under that of the assured ;

*h.* Provides in its policies,—in the case of associations who have applied for such license after the 30th day of June, 1898,—that premiums be levied from its members equal at least to those mentioned in schedule B of this act, together with an amount sufficient to meet the expenses of administration of the association.

Granting of  
license.

**87.** On proof of the above by affidavit, and on production of the act incorporating the association, or of the certificate of registration relating thereto, if registration be required by the acts of the Province in which it has been incorporated, the Provincial Treasurer grants the license.

Report to  
Provincial  
Treasurer.

**88.** Every year, on or before the first of March, the association shall forward to the Provincial Treasurer a report of its operations, a statement of its affairs, and a declaration under oath attesting that it has complied with all the requirements of the laws of the Province in which it has been incorporated.

Inspection of  
associations.

**89.** The Provincial Treasurer is, whenever he is thereunto required by the assured or by any other interested person, or whenever he deems it expedient, authorized in accordance with article 126 to have an inspection made by the inspector of insurance or by a special inspector, of the operations and financial standing of the association.

Further de-  
posit.

**90.** The association may, in addition to the sum of five thousand dollars above mentioned, deposit with the Provincial Treasurer, any other sum which it may deem expedient.

## SECTION IX

CHANGE OF NAME OR OF HEAD OFFICE OF INSURANCE COMPANIES, MUTUAL BENEFIT ASSOCIATIONS AND CHARITABLE ASSOCIATIONS INCORPORATED BY LEGISLATIVE AUTHORITY IN THIS PROVINCE

**91.** 1. If an insurance company or mutual benefit or charitable association within the legislative authority of this Province, is desirous of adopting another name than that by which it was incorporated, or if the inspector of insurance is of opinion that the name by which the company or association was incorporated may easily be confounded with that of any other existing company or association, or is otherwise objectionable on public grounds, the Lieutenant-Governor in Council, upon the recommendation of the said inspector, approved by the Provincial Treasurer, may change the name of the company or association to some other name to be set forth in the order in council. No such change shall affect the rights or obligations of the company or association, and all proceedings which might have been continued or commenced by or against the company or association by its former name, may be continued or commenced by or against the company or association by its new name.

2. The head office of an insurance company or mutual benefit or charitable association, may also be changed in the same manner, if it is shown that such change has been approved by the votes of two-thirds of the members or shareholders, as the case may be, of the company or association, present at a special general meeting called for that purpose.

3. Public notice of such change of name or of head office, or of application for change of name or of head office, shall be given in the *Quebec Official Gazette* and in such newspapers as may be indicated in the order in council.

## SECTION X

DEPOSITS BY INSURANCE COMPANIES OR MUTUAL BENEFIT ASSOCIATIONS WITH THE TREASURY DEPARTMENT

**92.** 1. Except mutual fire insurance companies licensed for the insurance of farm buildings and of isolated risks (such risks being other than mercantile and extra hazardous risks) and mutual fire insurance companies authorized to insure only butter and cheese factories on a strictly mutual system, every company or association applying for a license from this Province to transact insurance shall, before the original issue

or the renewal of the license, and before the registration thereof, lodge with the Provincial Treasurer the deposits respectively below stated, and the said deposits shall be made in cash or in deposit receipts of chartered banks in Canada, or in the stock or bonds of the Dominion of Canada or of any Province of Canada or in any other manner in accordance with the provisions of article 981o of the Civil Code.

Initial deposit.

2. The initial deposit to be made by any company or association liable to make deposit before the initial registration, shall be the sum appointed for such company or association in paragraph 4 of this article.

Readjustment of deposit in certain case.

3. Before the annual renewal of the registration, the amount of deposit required of any such company shall, on or before the first day of July in each year, be readjusted in terms of paragraphs 4 and 5 of this article.

Amount of deposit.

4. If on the preceding thirty-first day of December in any year, the total contingent liabilities or amount at risk in this Province of the company, does not exceed two million dollars, the deposit shall, as the case may be, be as follows:

a. For every joint stock fire, or fire and inland marine insurance company, for every life or life and accident insurance company, and for every guarantee and surety company, the amount of the deposit of a company incorporated by the Province or by the Dominion of Canada, shall be twenty-five thousand dollars, and, if a foreign company, fifty thousand dollars ;

b. For every accident company, if it be a company incorporated by the Province or by the Dominion of Canada, the amount of the deposit shall be twenty thousand dollars, and if a foreign joint stock company, forty thousand dollars ;

c. For every provincial mutual fire, or fire and inland marine company insuring mercantile and manufacturing risks, the amount of the deposit shall be ten thousand dollars, and for every provincial cash-mutual fire, or cash-mutual fire and inland marine company, twenty-five thousand dollars.

The companies mentioned in this sub-paragraph and at present doing business in this Province, shall deposit with the Treasury Department one half of the amount specified in this sub-paragraph within the twelve months from the coming into force of this act, and it shall be lawful for the Lieutenant-Governor in Council, on the report of a competent officer appointed by him and recommending the same, to grant an additional delay for the deposit of the balance, not exceeding six months from the expiration of the first delay of twelve months;

d. For every live-stock insurance company the amount of the deposit shall be, if it be a company incorporated by the



Province or by the Dominion of Canada, ten thousand dollars, and, if a foreign joint stock company, twenty-five thousand dollars ;

*e.* For every insurance company within the meaning of paragraph 3 of article 7 of this act, the amount of the deposit shall be, if it be a company incorporated by the Province or by the Dominion of Canada, ten thousand dollars, and, if a foreign joint stock company, twenty thousand dollars ;

*f.* For every insurance company within the meaning of paragraph 4 of article 7 of this act, the amount of the deposit shall be, if it be a company incorporated by the Province or by the Dominion of Canada, five thousand dollars, and if a foreign joint stock company, ten thousand dollars ;

*g.* For every foreign company doing only the business of reinsuring risks undertaken by companies standing registered under this act, the amount of the deposit shall be ten thousand dollars ;

*h.* For every extra-provincial mutual benefit association, the amount of the deposit shall be five thousand dollars or any other amount fixed by the Lieutenant-Governor in Council.

5. If, on the preceding thirty-first day of December in any year, the total contingent liability of the company, or the amount of insurance in force (insured or reinsured) exceeds two million dollars in this Province, then, for each additional million dollars or fraction thereof, the companies enumerated in the preceding paragraphs, shall respectively keep on deposit with the Government, by way of additional security, a sum equal to one-tenth of the initial deposit, and the additional deposit shall be either in cash or securities as aforesaid. Additional deposit in certain cases.

Nevertheless, additional deposits shall not be exacted Proviso. from companies incorporated by this Province, when the total amount of the deposit amounts to \$50,000.00.

**93.** 1. Securities of the Dominion of Canada, or securities issued by any of the provinces of Canada, shall be accepted at their market value at the time when they are deposited. At what value.

2. The other securities above specified, shall be accepted at such valuation and on such conditions as the Provincial Treasurer may direct, and there shall be kept in the Treasurer's office, under the name of each company or association, a record of the securities deposited on its account, naming in detail the several securities, their par value, and the value at which they are received on deposit, Dominion securities accepted. And other securities.

3. If the market value of any of the securities which have been deposited by any company, declines below the value at which they were deposited, the Provincial Treasurer may, from time to time, call upon the company or association to Further deposit if value declined.

insertion of the description and valuation of such building in the roll, do not cause to be entered opposite the description and valuation of such building, the words "objected to by the council," such building shall remain insured dating inclusively from the day of such last meeting.

Insurance of  
grain, &c.

**46.** On demand of the proprietor, the secretary-treasurer may insure, under the prescribed formalities, the grain, hay and fodder, the produce of the harvest, and furniture, and also the agricultural implements contained in the buildings not objected to by the council, to the amount applied for, if the by-law establishing the insurance provide for the insurance of such articles.

Insured,  
members of  
company, &c.

**47.** The proprietors of property insured as aforesaid, shall be the members of the mutual insurance company. They shall alone be responsible, in proportion to the amount for which each of their properties is insured, towards the company, for the amount of damage caused by fire, or fire and lightning, or fire, lightning and wind, as well as for all debts and obligations contracted by the said company.

Responsi-  
bility of the  
company.

**48.** The company shall be responsible towards each of its members for two-thirds of the damages caused by fire, or fire and lightning, or fire, lightning and wind, to the buildings and moveable effects so insured, to an amount not exceeding two-thirds of the valuation of such buildings and moveable effects, as shown upon the said valuation roll.

Indemnity  
by council.

**49.** The council shall be entitled, for the benefit of the corporation, to indemnify it for all costs incurred in the management of the company, including the salary of the secretary-treasurer and that of the valuers, for such amount as it may deem reasonable, but which, in no case, shall exceed ten per cent of the amount collected by it for the company.

Reserve  
fund.

**50.** The council may, if authorized by the majority of the insured present at the meeting mentioned in article 43, levy twenty-five cents per one hundred dollars of the amount insured, to establish a reserve fund, and shall levy annually an amount sufficient to meet all the damages, the amount of which shall have then been established and to pay all the obligations and matured debts of the company.

Amount  
levied by tax.

This amount shall be levied by means of a tax imposed upon each building insured, in proportion to the amount of its valuation and of that of the valuation of its contents, as shown on the valuation roll.

**51.** The tax imposed in virtue of article 50 is assimilated to municipal taxes. It shall have the same privilege and the same rank without registration being required, and the amount, with legal interest from the time it has become due, shall be recoverable by the secretary-treasurer in the same manner as municipal taxes. Tax assimilated to municipal taxes.

**52.** Two or more of the mutual insurance companies, established under the authority of the present section, may enter into an agreement for the purpose of making one responsible towards the other, in proportion to the amount insured by each of them, for damages caused by fire, or fire and lightning, or fire, lightning and wind. Responsibility of companies towards each other.

**53.** The council may, from time to time, make any by-law necessary for the proper working of the company, and, in particular to determine the conditions on which a building shall become insured, when and in what manner a building which is insured may cease to be insured, and in what manner a member of the company may transfer his interest in the company, and generally all other by-laws not inconsistent with the present section. By-laws for working of the company, &c.

**54.** In villages, all neighboring buildings situated at a distance of less than fifty feet from each other, shall be valued separately and proportionately, in such a manner that their aggregate value shall not exceed three thousand dollars. Valuation of certain buildings.

## § 2.—*Formation of the Company by individuals*

**55. 1.** Twenty-five freeholders residing in any parish or local municipality in this Province, five of whom shall be provisional directors of an association formed with the view of establishing a mutual fire insurance company, may establish such company for the purpose of insuring the property, situated within such parish or local municipality, and also the properties outside the limits thereof, provided they be situated entirely within the county in which is situated the said parish or municipality, as well as the grain, hay, fodder, agricultural implements and furniture in or upon the properties aforesaid, which insurance company shall be known under the name of "The Mutual Fire Insurance Company of the parish or, of the local municipality of (as the case may be.)" What freeholders may form company. Name of company.

**2.** All the provisions respecting mutual insurance companies contained in this act, shall apply to such companies in so far as they are not inconsistent therewith. Provisions applicable.

insurance. Such notice shall designate the sitting of the court at which application is proposed to be made, and shall state the day and hour named for the hearing of the same.

When order  
granted,  
company  
deemed not  
registered,  
&c.

Appointment  
of admini-  
trator in cer-  
tain cases.  
Liquidator.

2. If an order for administration is granted, the company or association shall be deemed to be no longer registered. In the case of a foreign or extra-provincial company, upon petition of any person interested in the administration, or of the inspector of insurance, the judge shall appoint a competent person to be administrator, and, in respect of the administration, the said judge shall have such powers and duties as are given him by the Code of Civil Procedure in case of abandonment of property.

In the case of a company or association incorporated by the the Province, a liquidator shall be appointed in accordance with article 214 to proceed to the liquidation of the affairs of the company or association.

Re-insurance  
of contracts  
in certain  
cases, &c.

**101.** Where a company or association has ceased to transact business in the Province of Quebec and has given written notice to that effect to the Provincial Treasurer and to the inspector of insurance, it shall re-insure all outstanding contracts effected in this Province, in some company or association registered to do business in this Province, or obtain a discharge of such contracts, and its securities shall not be delivered to the company or association until such reinsurance is effected to the satisfaction of the Provincial Treasurer.

Application  
for list of  
securities.

List of con-  
tracts filed.

Notice of  
application.

Order for  
release of  
securities, &c.

**102.** Upon making application for its securities, the company or association shall file with the inspector of insurance, a list of all contracts within the meaning of article 98 of this act, which have not been reinsured or have not been discharged; and it shall at the same time publish, in the *Quebec Official Gazette*, a notice that it will apply to the Lieutenant-Governor in Council for the release of its securities on a certain day, not less than three months after the date of the notice, and calling upon all claimants, contingent or actual, opposing the release, to file their opposition with the inspector of insurance on or before the day so named; and after that day, if the Provincial Treasurer is satisfied that the company or association has sufficient assets to meet its liabilities under article 98 of this act, all the securities may be released to it by an order of the Lieutenant-Governor in Council, or a sufficient amount of them may be retained to cover the claims filed, and the remainder may be released, and thereafter, from time to time, as such opposing claims lapse, or proof is adduced that they have been satisfied, further releases may be made on the authority aforesaid.

Position of

**103.** Notwithstanding the provisions of its charter or of

any other previous act, every insurance company heretofore or hereafter incorporated in this Province under authority of this Legislature, is and shall be governed by this act in regard to deposits to be made with the Treasury Department, and shall not be required to make any further or other deposit or deposits than such as are required by this act.

## SECTION XI

## LICENSES

**104.** 1. All mutual benefit or charitable associations, and all insurance companies not being the companies or associations mentioned in article 110, shall, before becoming entitled to registration, obtain a license from the Provincial Treasurer.

License by }  
certain com-  
panies, &c.

2. Companies or associations applying for license, shall file with the Provincial Treasurer the documents mentioned in articles 2, 3, 4, 16, and 111, in the case of a company incorporated by letters patent or of a foreign company, as the case may be ; and also the documents hereinafter required of applicants for registration ; and shall, before obtaining their license, comply with the provisions of article 92 relating to deposits.

Documents  
to be filed  
with applica-  
tion therefor.

3. As soon as the company or association applying for license, has deposited the securities hereinbefore mentioned, and has otherwise conformed to the requirements of this act, the Provincial Treasurer may issue the license.

Issuing of  
license.

4. The license shall be in such form as may be from time to time determined by the Provincial Treasurer, and shall specify the business to be carried on by the company or association. Every license shall expire on the thirtieth day of June in each year, but may be renewed from year to year. A record of the licenses and supplementary licenses as they are issued or renewed, shall be kept in the office of the Provincial Treasurer.

Form, dura-  
tion, renewal,  
&c., of li-  
censes.

5. Licensees under this article shall be entitled to be registered free of charge as provided in article 109.

Free registra-  
tion of li-  
censes.

6. Whenever a company or association desires to extend its business to some other branch of insurance permitted by this act, and has made the additional deposit and complied with the requirements of the law, the Provincial Treasurer may, on a report of the inspector of insurance, issue to the company or association a supplementary license authorizing it to undertake such other branch of business.

Supplement-  
ary license in  
certain cases.

7. The provisions herein enacted as to the continuance, renewal, suspension and cancellation of licenses, shall equally apply to supplementary licenses.

Provisions  
as to licenses,  
apply to sup-  
plementary  
licenses.  
Payment of

8. Although the company or association has ceased to trans-

certain losses after license withdrawn. act business in this Province after the notice by this act required, and its license has in consequence been withdrawn, the company or association shall nevertheless pay the losses arising from policies not reinsured or surrendered as if the license had not been withdrawn.

Licenses by existing companies. 9. Every insurance company or association subject to the obligation to obtain a license under the provisions of this act, and at present doing business in this Province, shall, within twelve months from the coming into force of this act, obtain a license from the Provincial Treasurer to continue to do business therein.

Articles applicable to certain associations. **105.** Mutual benefit and charitable associations are further governed, with respect to licenses, by articles 65 and 86.

## SECTION XII

## REGISTRATION

List of documents to be kept by Treasurer. **106.** 1. There shall be kept in the office of the Provincial Treasurer, a list of the several documents filed by every company or association under this act, and, under the name of the company or association, there shall be entered the securities deposited on its account with the Provincial Treasurer, naming in detail the several securities, their par value, and value at which they are received as deposit; and, before the issue of a new license, or the renewal of a license to a company or association, the requirements of the law must have been complied with, and the statement of its affairs must show that it is in a condition to meet its liabilities. A list of the licenses and certificates of registration as they are issued or renewed, shall also be kept in the office of the Provincial Treasurer.

Entries of securities deposited, &c.

List of licenses, certificates, &c., to be kept.

Certificate of registration, &c.

Its contents.

2. The Provincial Treasurer shall deliver a certificate of registration or of renewed registration, as the case may be, to all insurance companies or mutual benefit or charitable associations registered under this act, and such certificate shall set forth that the company or association is registered for the term and purposes stated in the certificate.

Certificate to mention first and last days of license, &c.

3. Every certificate of registration, issued under this act, shall state the first and last day of the term for which the company or association is registered, and such company or association shall, for the purposes of this act, be deemed to have been registered from the beginning of the first to the end of the last day so indicated.

Necessity of registration.

**107.** No insurance company, mutual benefit or charitable association, can do business in this Province unless it be regis-

tered with the Provincial Treasurer in accordance with the provisions of this section.

**108.** For registration purposes two registers shall be kept in the department of the Provincial Treasurer :

1. One wherein insurance companies within the meaning of articles 109 and 110 shall be registered ;
2. Another wherein mutual benefit and charitable associations shall be registered.

For insurance companies.  
For mutual benefit, &c., associations.

**109.** 1. Insurance companies or associations holding licenses from the Province of Quebec, shall be entitled, on the issue or the renewal of their licenses, to be registered, without charge, with the Provincial Treasurer, and the fact of such registration shall be endorsed on the initial license or on the renewal thereof.

Licenses entitled to registration free of charge, &c.

2. Suspension or non-renewal of the license issued under this act shall, *ipso facto*, effect the suspension or cancellation of the registration, as the case may be.

Effect of suspension, &c., of license.

3. Suspension or cancellation of the registration shall, in the discretion of the Provincial Treasurer, effect the suspension or cancellation of the license, in the case of any company which must take out a license.

And of suspension, &c., of registration.

**110.** 1. Insurance companies or mutual benefit or charitable associations, holding licenses from the Dominion of Canada may, upon proof that such licenses are still in force, be registered on the registers kept for registration purposes in the office of the Provincial Treasurer.

Registration of certain Dominion licensees, &c.

2. For the purposes of this act, every insurance company or mutual benefit or charitable association holding a license under the Insurance Act of Canada, shall be deemed to be a corporation which may be registered with the Provincial Treasurer.

Certain companies entitled to registration.

3. Where a company authorized under sections 88, 89, 90, 91, 92 and 93 of the Insurance Act of Canada, is registered under this act, every policy and certificate issued and used in this Province, shall conform and be subject to the provisions of the said sections ; and, upon any contravention of the said sections, the corporation shall be liable to have its registration under this act suspended or cancelled.

Policies, &c., of registered companies.

4. Suspension or cancellation of the authorization of a company or association under the Insurance Act of Canada shall, *ipso facto* and without notice, effect, as the case may be, the suspension or cancellation of registration under this act.

Suspension, &c., of authorization under Ins. Act of Canada Proviso.

Provided, that when such insurance company or association has, under the Insurance Act of Canada, been permitted to revive its authorization, the Provincial Treasurer may permit the company to be registered anew, and may issue his certificate thereof.

Certain non-licensed companies &c., admitted to registration.

5. Corporations, companies or insurers within the meaning of paragraph *a*, of section 4 of the Insurance Act of Canada, or of section 77 thereof may, upon due application, be admitted to registration as if licensed under the said act.

Registration of members of Lloyds, &c.

6. Upon due application of any underwriter of the establishment or society known as Lloyds, and more particularly described in the act 34-35 Victoria, chapter 21, passed by the Parliament of the United Kingdom, or upon due application of any such underwriter, broker, or agent, such undertaker, broker or agent may be registered for the undertaking and transaction of marine insurance.

Marine adjuster's license

But if, for the purpose of appraising losses and adjusting claims against insurers under contracts of marine insurance effected on any subject matter which, at the time of appraisal or adjustment, is within the jurisdiction of the Province, such contracts having been effected outside the jurisdiction of the Province with companies or underwriters registered under this act, the Provincial Treasurer may grant or renew, on such conditions as he may deem expedient and as the case may be, a marine adjuster's license for a term not in either case exceeding twelve months to the individual named in the license, authorizing the said individual during the said term to appraise and adjust all such losses and claims ; the said license shall, during the term thereof, exempt, as to the said services, the said individual from the penalties prescribed by article 130 of this act.

Documents to be filed before issue of license, &c

111. Before the issue of a license, or a certificate of registration, to a company or association having its head office outside the Province, the company or association shall file in the office of the Provincial Treasurer the documents provided for in the three next following subsections ; that is to say :—

*a*. A copy of its charter, or of its letters-patent certified by the officer having the custody of the original ;

*b*. A power of attorney for the purpose hereinafter mentioned, from the company or association to its chief officer or agent in the Province, or some other person resident and doing business in the Province, under the seal of the company or association and signed by the president and secretary or other proper officer thereof, in the presence of a witness who shall make oath or affirmation as to the due execution thereof ; and the official positions in the company or association held by the officers signing such power of attorney shall be sworn to or affirmed by some person cognizant of the facts necessary in that behalf. But whenever the company or association has, by such power of attorney under its seal, appointed a general agent for Canada, and has thereby authorized such general agent to appoint chief officers or agents of the company or association



in the various Provinces of Canada ; then, after filing with the Provincial Treasurer a copy of said document, duly certified by a notary public or by the proper officer of the Dominion of Canada to be a true copy thereof, powers of attorney executed by the said general agent for Canada under his seal, in the presence of a witness who has by oath or affirmation duly verified the execution thereof, shall be deemed sufficiently executed by the company or association for all the purposes of this act.

c. In the case of companies or associations not licensed under the Insurance Act of Canada, a statement, in such form as may be required by the Provincial Treasurer, of the affairs of the company or association, on the thirty-first day of December then next preceding, or up to the usual balancing day, but such day shall not be more than twelve months before the filing of the statement.

**112.** Such power of attorney shall declare at what place in the Province the chief agency, head office or office of the attorney of the company or association is, or is to be established, and shall expressly authorize the attorney to receive service of process in all actions, suits and proceedings against the company or association in the Province in respect of any liabilities incurred by it therein, and shall declare that service of process for or in respect of such liabilities at the chief agency, or personally on the attorney, at the place where such chief agency, head office or office of the attorney is established, shall be legal and binding on the company or association to all intents and purposes.

Contents of power of attorney.  
Authorization to receive service, &c.

**113.** Whenever a company or association licensed or registered under this act, changes its chief agent, attorney, head office or chief agency in this Province, it shall file a power of attorney as hereinbefore mentioned, specifying the change and containing a similar declaration as to service of process as hereinbefore mentioned.

New power of attorney in certain case.

**114. 1.** The companies or associations authorized by the Dominion of Canada, within the meaning of article 110 of this act, which receive from time to time a license or other authorization under the Insurance Act of Canada, shall, annually after their first registration, under such license or authority, present to the Provincial Treasurer the document showing such authorization, within thirty days after the date thereof, and upon due presentation of the same, and upon payment to the Provincial Treasurer of the fee prescribed, they may be admitted to registration under such authority, or to renewal of registration, as the case may be, and in default of registration or of renewal

Presentation of certain documents by certain companies, &c.  
Registration of such companies, &c.

of registration within the said thirty days, the company or association shall be deemed to be unregistered.

Documents  
not necessary  
in certain  
cases.

But the presentation of such document shall not be necessary, on the Provincial Treasurer receiving from the proper officer of the Dominion of Canada notice that such license or document of authority has in fact been issued to the company or association named in the notice, and authorizes the transaction of insurance of the kind and for the term specified in the notice.

Effect of  
suspension,  
&c., of such  
documents.

2. The suspension or cancellation or non-renewal of such document of authority issued under the Insurance Act of Canada, or issued by any province of Canada to an insurance company or association registered in this Province, shall operate *ipso facto* as a suspension or cancellation of registration under this act ; but registration so suspended may be revived as provided in this act.

Duration  
of certificate  
of registra-  
tion, &c.

**115.** In the case of all companies or associations, other than those mentioned in article 110, any certificate of registration issued under this act, not being an interim or extended certificate, shall, unless sooner suspended or cancelled, remain valid until the then next ensuing thirtieth day of June inclusive, when, if the corporation or association has filed the summary statement required by article 138, and the annual statement prescribed by article 147, as the case may be, and also properly certified copies of all amendments to its constitution, laws, rules and regulations made since the next preceding summary or annual statement, and has otherwise complied with the law, it shall be entitled to a certificate of renewed registry, and so on every succeeding year.

Interim  
certificate,  
&c., in cer-  
tain cases.

**116.** Upon proof that a company or association has, by accident or unavoidable cause, been prevented from fully complying with the provisions of this act within the time herein prescribed, and upon payment to the Provincial Treasurer of the fee herein enacted, the Provincial Treasurer may grant for a time limited therein, an interim certificate of registration, or may extend for a limited time the duration of a subsisting certificate of registration, but in default, in either case, of renewal of registration before the expiry of the time so limited, the company or association shall be deemed to be unregistered.

Registration  
of existing  
companies,  
&c.

**117.** Every insurance company or mutual benefit or charitable association, subject to the obligation of registering under this act, and now doing business in the Province, shall obtain a certificate of registration from the Provincial Treasurer within twelve months from the coming into force of this act, for continuing to do business therein.

**118.** No insurance company or association, shall be registered under a name identical with that under which any other existing company or association is registered, or so nearly resembling such name as to be likely to be confounded therewith, nor under any other name likely, in the opinion of the Provincial Treasurer, to deceive the members or the public as to its identity.

**119.** The Provincial Treasurer shall cause to be published yearly in the *Quebec Official Gazette*, a list of companies or associations licensed or registered under this act, with the amount of the deposit, if any, made by each company or association ; and, upon a new company or association being licensed or registered, or upon the license or certificate of a company or association being suspended or cancelled, or if the certificate is revived, he shall publish a notice thereof in the *Quebec Official Gazette* for the space of two weeks.

**120.** Subject to condition 23 of the policy set forth in article 203, service of any written notice to any insurance company for any purpose of this act, where there is no other express provision relative thereto, may be by letter delivered at the chief office of the company in the Province, or by registered letter addressed to the company, its manager or agent at such chief office, or by such written notice given in any other manner to an authorized agent of the company.

#### SECTION XIII

#### SUSPENSION OR CANCELLATION OF REGISTRATION

**121. 1.** The happening of any of the following events shall *ipso facto* and without previous notice, cancel the registration of the company or association concerned :

a. The repeal or the expiry without renewal of its charter, instrument of association, or constitution, or of its act or acts of incorporation ;

b. The revocation of its corporate powers ;

c. The cancellation, or the expiry without renewal, of the license or other authorization by which the company or association was authorized to exercise its corporate powers for the transaction of insurance ;

d. The passing of a resolution by the company or association for its winding up ; or—

e. The making of an order by any court for the winding up of the company or association.

And, upon proof that any of the said events has happened,

the Provincial Treasurer, after notice to the company or association in cases where any dispute is likely to arise, shall cause the proper entry to be made in the register.

When registration suspended, &c.

2. The happening of any of the following events shall *ipso facto*, and without notice, suspend the registration of the company or association :

a. The suspension of any of the acts, instruments or charters, mentioned in sub-paragraphs *a* or *c* of paragraph 1, of this article ; or—

b. The suspension of the corporate powers of the company or association ;

Upon proof that any of the said events has happened, the Provincial Treasurer, after notice to the company or association in cases where any dispute is likely to arise, shall cause the proper entry to be made upon the register.

Provincial Treasurer to decide in case of dispute.

3. Where the happening of any of the events mentioned in paragraphs 1 and 2 of this article, is disputed by written notice delivered to the Provincial Treasurer at his office, he shall decide both as to the facts and as to the law, and render his decision in writing ; and such decision shall be final.

Decision in writing; one copy to be sent to company, &c.

**122.** 1. Where the Provincial Treasurer decides in any disputed case that a company or association is or is not legally entitled to registration, or to renewal of registration, or where he suspends, revives or cancels the registration of a company or association, he shall, except as otherwise herein provided, render his decision in writing, and shall cause a copy of his decision, certified under the seal of his office, to be delivered by registered post or otherwise to the company or association at its head office in the Province of Quebec.

Who may have certified copy.

2. Any person may obtain a certified copy of any such decision of the Treasurer, on application to his office, and upon payment of the fee prescribed.

Affidavits, &c.

3. The affidavits and depositions received or taken by the Treasurer in any disputed case, shall be filed in his office.

Evidence by short-hand.

4. The evidence and proceedings in any matter before the Provincial Treasurer may be reported by a stenographer who has taken an oath before a commissioner of the Superior Court to faithfully report the same.

Costs of contestation.

5. The costs of every contestation are payable by the company or association if it loses. Nevertheless, if a third party should contest the right of the company or association to be registered, the Provincial Treasurer may exact from him, before holding the inquiry, such deposit as he may deem necessary to cover the costs occasioned by such inquiry, and such deposit shall be used to pay the costs if the third party loses.

Proviso.

**123.** 1. Upon proof that any registry or certificate of registry has been obtained by fraud or mistake, or that a company or association exists for any illegal purpose, or is insolvent or is about to become insolvent, or has, within the meaning of articles 124 and 125 of this act, refused or neglected to pay a claim lawfully due, or has wilfully, and after notice from the Provincial Treasurer or inspector, contravened any of the provisions of this act, or has ceased to exist, the registration of such company or association may be suspended or cancelled by the Provincial Treasurer.

2. On the suspension or cancellation of the registration of any company or association except as herein otherwise enacted, the Provincial Treasurer shall, by registered post or otherwise, cause notice thereof in writing, signed by him, to be delivered to the head office or chief agency of the company or association in the Province of Quebec ; and, from the date of such delivery, such company or association shall be deemed to be unregistered, but, in the case of mere suspension of registration, the company or association shall be deemed to be unregistered only whilst such suspension lasts ; and, from and after such delivery, the company or association shall withdraw every offer to enter into contracts, and shall absolutely cease to enter into contracts, but without prejudice to any liability actually incurred by such company or association, which may be enforced against the same as if such suspension or cancellation had not taken place.

**124.** Every lawful claim against an insurance company or association under any insurance contract, shall become legally payable on the expiration of sixty days after reasonable and sufficient proof has been furnished to the company or association of the happening of the event under which such claim was by said contract to accrue, and, where property was insured, after like proof of such additional matters as the law requires ; and any provisions, conditions or stipulations to the contrary shall, as against the assured, be void ; but the company or association may in its discretion pay the claim at any time before the expiration of the sixty days.

**125.** 1. Any insurance company or association, shall be liable to have its registration suspended by the Provincial Treasurer, upon the failure by it to pay an undisputed claim, or an insurance contract, for the space of sixty days after being legally payable, or, if disputed, after final judgment and tender of a legal valid discharge, and, in either case, after notice, supported by affidavit, of the company's default, delivered to the Provincial Treasurer.

2. When the registration of a company or association has

registration  
in certain  
cases.

been suspended under paragraph 1 of this article, but, within sixty days after the notice therein provided, it has fully paid all undisputed claims and final judgments upon or against it, the Provincial Treasurer, upon proof of the facts, may revive the registration of the company or association and issue his certificate of such revivor.

Cancellation  
thereof in  
certain cases.

3. If, within the sixty days mentioned in paragraph 2 of this article, the company or association has not fully paid all undisputed claims and final judgments, the Provincial Treasurer, upon proof of the fact, shall cancel the registration of the company or association.

Proviso.

4. If the enactment under or by virtue of which the company or association was incorporated, prescribes payment of undisputed claims and final judgments within less than sixty days, this article shall not be deemed to extend the time so prescribed for payment, nor to extend the right of the company or association to revivor of registration hereunder beyond the time limited by the said enactment.

Access of  
Provincial  
Treasurer,  
&c., to cer-  
tain books,  
&c.

**126.** The Provincial Treasurer, or any person authorized by him in writing, and the inspector, shall have, at any time during business hours of every day except Sundays and holidays, access to all such books, securities and documents of a company or association as relate to its contracts, and any officer or person in charge, possession, custody or control of such books, securities or papers, refusing or neglecting to afford such access, shall be guilty of an offence, punishable as for an offence against article 130, and, if registered, the company or association shall be liable to have its registration suspended, and, on continued refusal or neglect to afford such access, shall be liable to have its registration cancelled.

Order for  
audit of  
accounts in  
certain cases.

**127.** 1. If it is established to the satisfaction of the Provincial Treasurer that the accounts of a registered company or association have been materially and wilfully falsified, or that for eighteen consecutive months there has been no *bona fide* audit of the books and accounts ; or if there is filed in the office of the Provincial Treasurer a requisition for audit bearing the signatures, addresses and occupations of at least twenty-five persons being members of the company or association, claimants or persons entitled to claim or having insurable interest under contracts of the company or association, and if such requisition alleges in a sufficiently particular manner, to the satisfaction of the Provincial Treasurer, admittedly fraudulent or illegal acts, or repudiation of contracts, or insolvency, the said Treasurer may nominate a competent accountant, who shall, under his direction, make a special audit of the

books and accounts and report thereupon to him in writing, verified upon oath.

2. For the purposes of this act a special auditor shall be sufficiently accredited, if he deliver to the secretary or to any officer of such company or association, a written declaration from the Provincial Treasurer to the effect that the latter has appointed such auditor to audit the books and accounts. How auditor accredited.

3. The expense of such special audit shall be borne by such company or association, and the auditor's account therefor, when approved in writing by the Provincial Treasurer, shall be payable by the company or association forthwith. Expenses of audit.

4. Where an audit is requested as mentioned in paragraph 1 of this article, the persons so requesting it shall, together with their requisition, deposit with the Provincial Treasurer proper security for the costs of the audit, in such sum, not exceeding two hundred dollars, as he shall determine; and where the facts alleged in the requisition appear to the Provincial Treasurer to have been partly or wholly disproved by the audit, he may pay the costs thereof partly or wholly out of the deposit. Deposit with request for audit.

5. All books, securities, vouchers and documents relating to the contracts or funds of the company or association, shall be subject to the audit prescribed by this article. Books, &c., subject to audit.

6. Where any company or association, through a trustee, officer, employee, agent or auditor having in his custody, possession or power, its funds, books or vouchers, refuses to have the same duly audited as provided by article 126, and by this article, or obstructs an auditor in the performance of his duties, the Provincial Treasurer upon proof of the fact may suspend or cancel the registration of such company or association. Suspension, &c., for refusal to have books, &c., audited, &c.

7. Every trustee, director, officer, manager, agent, collector, auditor or employee of a company or association, who knowingly makes or publishes, or assists to make or publish, any wilfully false statement of its financial affairs, or who makes or assists to make any untrue entry in any book of record, entry or account, or who refuses or neglects to make any proper entry therein, or to exhibit the books, vouchers, securities and documents, or to allow the same to be inspected or audited either for the general purposes of the company or association or for the purposes of this act, and extracts to be taken therefrom, shall be guilty of an offence, and, upon summary conviction thereof before any police magistrate or justice of the peace having jurisdiction where the offence was committed, shall be imprisoned in the common gaol of the district, or in any gaol of the Province, with or without hard labour, for a period not exceeding twelve months. Certain false statements, &c. Penalty, &c.

**Notification to company, &c., of auditors' report, &c.** **128.** If the report made by the special auditor, appears to the Provincial Treasurer to disclose fraudulent or illegal acts on the part of the company or association as mentioned in paragraph 1 of article 127, or a repudiation of its contracts, or insolvency, the Provincial Treasurer shall notify the company or association accordingly, and furnish it with a copy of the special auditor's report, allowing two weeks for a statement to be filed with him in reply.

**Decision by Provincial Treasurer.** **129.** 1. Upon consideration of the special auditor's report and of the statement of such company or association in reply, and of such evidence, documentary or oral, as he may require, the Provincial Treasurer shall render his decision in writing and may thereby continue, suspend, or cancel the registration of the corporation or association.

**Evidence under oath.** 2. The evidence may be given under oath, which oath the Provincial Treasurer may administer.

#### SECTION XIV

#### PENALTIES

#### *Necessity of registration*

**Penalty for entering into forbidden insurance contracts, &c.** **130.** 1. Any manager, director, officer, collector, agent, employee, or person whatsoever, who, contrary to the provisions of this act, undertakes or effects, or agrees or offers to undertake or effect, any contract of insurance, shall be guilty of an offence, and upon summary conviction thereof before any police magistrate or justice of the peace having jurisdiction where the offence was committed, shall be liable to a penalty not exceeding two hundred dollars and costs and not less than twenty dollars and costs, and, in default of payment, the offender shall be imprisoned, with or without hard labour, for a term not exceeding three months and not less than one month ; and, on a second or any subsequent conviction, he shall be imprisoned with hard labour for a term not exceeding twelve months and not less than three months.

**Burden of proving registration.** 2. In any trial, cause or proceeding under this act the burden of proving registration shall be upon the company or person charged.

**Applications, &c., to contain certain words.** 3. Every application, contract, or other instrument of insurance, and every circular, advertisement or publication soliciting insurance, issued or used in the Province for the purposes of assessment insurance, shall contain the words "Assessment System" printed or stamped in large type at the head thereof.

**Failure so to** Any contravention of this paragraph shall constitute an



offence, and shall be punishable as for an offence against <sup>do an offence, &c.</sup> paragraph 1 of this article.

4. Any one may be prosecutor or complainant under this <sup>Who may act ;</sup> act ; and one half of any fine imposed by virtue of this act <sup>prosecute, &c.</sup> shall, when received, belong to His Majesty for the use of the Province, and the other half shall belong to the prosecutor or complainant.

5. All informations or complaints for the prosecution of <sup>Prescription.</sup> offences under this act, shall be laid or made in writing one year after the commission of the offence.

6. All prosecutions under any of the provisions of this <sup>Crim. Code,</sup> act, shall be taken, tried and judged under the provisions of <sup>part XV, to apply.</sup> part XV of the Criminal Code.

**131.** Every offence committed by a company or associa- <sup>Offence, of</sup> tion against this act, shall be deemed to have been also com- <sup>company, &c,</sup> mitted by every officer of the same bound by virtue of his <sup>offence of cer-</sup> office or otherwise to fulfil any duty whereof such offence <sup>tain officers</sup> is a breach, or, if there be no such officer, then by every mem- <sup>cases.</sup> ber of the board of directors of such company or association, and each act or omission constituting an offence under this act shall constitute, if continued, a new offence for every week during which the offence continues.

**132. 1.** If it is proved, to the satisfaction of the Provincial <sup>Permit to</sup> Treasurer, that no sufficient insurance can be obtained at the <sup>insure with</sup> ordinary rate of premium from insurance companies <sup>foreign un-</sup> registered under this act, he may grant a permit to any person <sup>registered</sup> or company applying for the same, to effect the necessary <sup>companies in</sup> amount of insurance in or with a foreign unregistered com- <sup>certain cases.</sup> pany for a term, not exceeding twelve months, specified in the said permit ; and such permit shall for the said term exempt the said person and the said company from the operation of articles 104, 130 and 131.

**2.** Nevertheless commercial or manufacturing risks on pro- <sup>Permits in</sup> perty owned or occupied by persons firms or companies may <sup>certain other</sup> be insured or re-insured with non registered foreign mutual <sup>cases.</sup> companies or by non registered insurers, underwriters or associations of insurers, provided such persons firms or corporations coming with the provisions of paragraph E of division III of article 145 of the Revised Statutes and any manager, director, officer, collector, agent, employer or person whatever affecting such insurance or re-insurance in contradiction of these provisions shall incur the penalty enacted in clause 130 of this act.

## SECTION XV

AUDIT OF BOOKS—INVESTMENTS—YEARLY FINANCIAL  
STATEMENTS

Classification  
of contracts,  
&c.

**133.** With the exception of the companies or associations mentioned in paragraphs 1 and 2 of article 110 of this act, every company or association shall keep such classification of its contracts and all such registers and books as may, from time to time, be directed by the Provincial Treasurer.

Certain audit  
ordered in  
certain cases.

**134.** 1. If it appears to the Provincial Treasurer that such books are not kept in such a clear and efficient way as to make at all times a proper showing of the affairs and standing of the company or association, he shall thereupon nominate a competent accountant to proceed, under his direction, to audit the books of the company or association and to give such instructions as will enable the officers to keep them correctly thereafter.

Fees of ac-  
countant by  
whom paid.

2. The fees of the accountant shall be borne by the company or association interested, and shall not exceed ten dollars per day and necessary travelling expenses which shall also be paid by the company or association. The account for such audit and instructions shall, when approved by the Provincial Treasurer, be payable by the company or association.

Stock regis-  
ter.

**135.** When the company has a share or stock capital, the books required by article 133 to be kept, shall include a stock register in which the transfer of stock shall be accurately kept, and shall at all reasonable times be open to the examination of any shareholder and of the Provincial Treasurer. The entries in such register shall include the following particulars: the register numbers of the shares transferred; the amount of subscribed stock transferred; the amount theretofore paid up on such stock; the names and addresses of the transferer and transferee and the date of the transfer.

Its contents.

Policy regis-  
ter.

**136.** In the case of insurance companies or associations required to make deposit with the Province, there shall be kept a policy register recording separately the contracts for which the said deposit is answerable under article 98.

Annual  
audit.

**137.** 1. It shall be the duty of the officers of every registered insurance company or association to have, at least once in every year, a *bona fide* and business-like audit of its books of record and account by a competent auditor.

Who may be  
auditor.

2. In the case of companies or associations chartered by this Province, every auditor shall be a competent accountant, not

holding, nor having, for at least two years prior to his becoming auditor, held any other office or employment under the company or association; and an auditor need not be a member of the company or association.

3. The auditors of companies or associations chartered by Appointment this Province, shall be chosen annually, and their remuneration and pay of determined by the members in general meeting assembled. auditor.

4. The directors or executive officers may, for incapacity, Suspension misconduct or negligence, on the vote of a two-thirds majority, of auditor. suspend any auditor, such suspension to remain in force until the next general meeting of the members of the company or association.

5. If any auditorship becomes vacant between the general Vacancy in meetings of the company or association, the board of direc- auditorship. tors or the executive officers may fill the vacancy until the next general meeting.

**138.** 1. Every company incorporated under the laws of Annual the Province, shall furnish to each member annually, a sum- statement to mary statement showing as the result of such audit or audits, members. the company's actual assets, liabilities, receipts and expenditures, and the state of the insurance fund or funds, and a copy of such summary statement signed and certified by the auditor, shall be filed in the office of the Provincial Treasurer with the statement required by article 147.

2. A licensed and registered mutual benefit or charitable Delivery of association, instead of furnishing such summary statement statement to each member individually, may deliver to each local branch local branch for the information and use of the members thereof, at least information, &c., of ten copies of the summary statement, of which also at least its members. one copy shall be kept posted up in a place accessible and convenient to the members generally, there to remain posted until at least one month after the posting of the next succeeding statement; also one copy of the said summary statement shall be kept on record and shall be made accessible to the members generally.

3. If the association has an official newspaper or journal, Publication and a copy of the same is sent to each member, publication in official of the said summary statement therein shall be sufficient. newspaper, &c.

**139.** 1. The reserve or guarantee fund of mutual fire in- Investment surance companies, and the minimum capital required by the of reserve charter of any company incorporated by this Province, shall fund, &c. be invested as required by article 38.

2. The surplus insurance funds of a company subject to the Investment legislative authority of this Province shall, in the name of such of surplus company, be loaned upon or invested in securities which are a insurance funds.

first hypothec on land held in fee simple, or shall be invested in the public stock, funds or Government securities of the Dominion of Canada or of any province of Canada, on in securities guaranteed by either the Dominion or one of its provinces, or in the public stock, funds or Government securities of the United Kingdom, or of the United States of America, or in terminating debentures of any municipal corporation in the Dominion of Canada, (such securities being in every respect, fitting and proper) or in shares or terminable debentures of any solvent society or company incorporated by the Dominion of Canada or any of its provinces, which has carried on business in the Dominion of Canada or any of its provinces for at least five years and is still doing business therein, but in such manner that the loan or loans upon the security of, or the purchase or investment in the shares or debentures of any of the associations or companies mentioned in the present paragraph, shall not in the aggregate exceed one-fifth of the paid up capital of the association or company issuing such shares or debentures ; or the said surplus insurance funds shall remain deposited, with or without interest, in the name of the company, in a post office savings bank or in any chartered bank of Canada, or in any loan company in the Province by any act of the Province, or of the Dominion of Canada duly authorized to receive deposits.

Certain investments which article does not authorise.

3. This article does not confer :

a. Upon an insurance company, the right of lending or investing its funds in or upon the securities of shares or debentures, of any company carrying on the same kind of insurance ;

b. Upon a life insurance company, the right to lend or invest its funds in or upon the security of the shares or debentures of any company or association mentioned in paragraph 2 of this article, if such shares or debentures are not secured by some other equivalent collateral security, or if more than one-third of the total value of such collateral security consists in shares or debentures.

Restrictions not applicable to certain investments.

4. The restrictions contained in this article shall not prevent a life insurance company lending or investing its funds in or upon the security of policies issued by it or by another such company.

Constitution, &c., of company re investments, not affected.

**140.** Where the constitution or rules of the company prescribe the securities in which the funds of the company shall be invested, the provisions of article 139 shall not be deemed to enlarge the power of investment by the said constitution or rules conferred.

Immoveables that may be held, &c., by company.

**141.** 1. Subject to its by-laws or constitution, any company or association standing registered under this act, may

hold absolutely to its own use and benefit, such immoveable property as may be necessary or useful in relation to the transaction of its business, and such immoveable property, as, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and it may, from time to time, sell, mortgage, lease or otherwise dispose of the same; but the company or association shall sell any immoveable <sup>Proviso.</sup> acquired in satisfaction of any debt within seven years after it has been so acquired, otherwise it shall be forfeited to His Majesty for the uses of the Province.

2. No insurance company or association shall contract with <sup>Loans, &c.,</sup> any of its auditors, trustees, directors or executive officers <sup>from com-</sup> for any loan or credit, or borrowing of money, and every at- <sup>pany to au-</sup> tempt to so lend or borrow is hereby absolutely prohibited. <sup>ditors, &c.,</sup> forbidden.

**142.** Where, in any insurance company or association, <sup>Directors, &c.,</sup> the trustees, directors or managing board (by whatever name <sup>personally</sup> known) make such an investment of any of the money of the <sup>liable to re-</sup> company or association as is not authorized by law, or where <sup>pay illegal</sup> the board or committee lend any of the company or association's money or transfer the usufruct of any of the property or assets of the company or association to any member of the board or committee, or to any auditor, trustee, director or executive officer of the company or association, all the members of the board or committee, as the case may be, who assented to the investment or loan or transfer, shall be personally liable jointly and severally to repay or restore (as may be directed) the property so invested or loaned or transferred, together with interest, and on such other conditions as the court shall determine.

**143.** Actions taken under article 142 may at any time be <sup>Member of</sup> brought by any member of the company or association in his <sup>company</sup> own name; and all trustees, directors or members of the board <sup>may sue</sup> or committee may be made defendants, and the proof shall be <sup>therefor, &c.</sup> on any such defendant that he did not assent to the said investment, loan or transfer. If, in the opinion of the court, the plaintiff has proved the investment or loan or transfer illegal, he shall be entitled to his costs out of the funds of the com- <sup>Costs against</sup> pany or association; and the company or association or its <sup>company, &c.</sup> representative, shall have the right to recover over against <sup>Recourse</sup> the defendants personally or from such of them as the court <sup>against per-</sup> son in fault. <sup>son in fault.</sup> may determine.

**144.** Every officer or other person appointed or elected <sup>Security of</sup> to any office in anywise concerning the receipt, safe keeping <sup>officers re-</sup> or application of moneys, shall furnish security, to the <sup>ceiving</sup> satisfaction of the directors, for the just and faithful execution <sup>moneys, &c.</sup>

of the duties of his office according to the rules of the company or association, and any person entrusted with the performance of any other service may be required by the directors to furnish similar security, and the securities so furnished and then subsisting shall be produced to the auditors as part of the annual audit hereinbefore prescribed. In the case of insurance companies or associations chartered by the Province, the security given by the treasurer or any other officer having charge of the moneys of the company, shall in no case be less than \$5,000.00

Directors personally liable where no security exacted, &c.

**145.** The directors are personally liable for all financial loss due to the unfaithfulness of the treasurer or other officer having charge of the moneys of the company or association, if they have not exacted from such officer the security mentioned in article 144, and if they have been guilty of serious neglect in the supervision they must exercise over the company's moneys.

Books of auditors, &c., books of company.

**146.** The books used by any auditor, officer, collector or agent for verifying or for recording moneys received for the company or association, and all other books of account or registers, shall be the property of the company or association.

Withholding books from directors, &c.

Every person who, in contravention of these provisions, withdraws, withholds or detains any of the said books from the possession or control of the directors, or executive officers, or from the liquidator of the company or association, shall be guilty of an offence and the procedure and penalty shall be those prescribed by article 130.

Annual statement to Prov. Treasurer, under pain of suspension, &c.

**147. 1.** It shall be the duty of the president, secretary or manager, and treasurer of any registered association or insurance company, with the exception of those mentioned in paragraphs 1 and 2 of article 110, to draw up and deliver to the Provincial Treasurer, every year, a statement of the financial position and of the business of the association or company, and every association or company refusing or neglecting to produce the statement required by this act or to answer promptly and explicitly all requests for information that may be made to them by the Provincial Treasurer with respect to the contracts and finances of the company or association, shall be liable to have their license and registration suspended or cancelled.

Penalty against president, &c., in default.

**2.** The president, secretary or manager and treasurer, are respectively liable for each offence to a penalty of two hundred dollars, recovered in His Majesty's name for the use of this Province.

Summary of

**3.** It shall be the duty of the Provincial Treasurer to publish

a summary of such reports, together with the names of the companies or associations that have not sent in such reports, in the *Quebec Official Gazette*, during the three months following the first of March of each year.

**148.** Life and fire insurance companies, save those excepted by article 147, shall send a statement of their condition and affairs and all other information required by the Provincial Treasurer, before the first day of March of each year, for the operations of the year ending on the previous 31st December. Such statement shall be attested on oath by the president and secretary, according to form E of this act, and, in the case of life insurance companies, shall be in the form and manner set forth in form C, and, for fire insurance companies, shall be in the form and manner set forth in form D of this act.

**149.** Licensed mutual insurance companies, shall send to the Provincial Treasurer, on or before the first day of March of each year, the statement mentioned in article 147. Such statement shall be attested on oath, shall state the financial position of the company on the previous 31st December, and be made in the form and manner set forth in form F.

**150.** Mutual benefit or charitable associations holding licenses from this Province, shall send to the Provincial Treasurer on or before the first day of March of each year, the statement mentioned in article 147 for the year ending on the previous 31st December. Such statement shall be attested on oath and be made in the form and manner set forth in form G of this act, and a copy shall be deposited with the inspector of insurance.

**151.** In computing or estimating the reserve necessary to be held in order to cover the liability to policy-holders, each life insurance company subject to the legislative authority of this Province, may, as to policies issued on or after the first day of January, 1900, and bonus additions or profits accrued or declared in respect thereof, employ any of the standard tables of mortality as used by it in the construction of its tables, and any rate of interest not exceeding three and one-half per centum per annum ; but if it appear to the inspector that such reserve falls below that computed on the basis stated in article 211, he shall so report to the Provincial Treasurer, who may thereupon direct the inspector to compute or to procure to be computed under his supervision, the reserve on the basis therein mentioned ; and the amount so computed, if it differ materially from the return made by the company, may be substituted in the annual statement of assets and liabilities ; and in such case the company shall furnish to the

reports published by  
Prov. Treas.

Statement of  
life and fire  
insurance  
companies.

Statement  
by licensed  
mutual com-  
panies

Statement  
by certain  
mutual be-  
nefit, &c., as-  
sociations.

Tables of  
mortality  
and rate of  
interest used  
by certain  
life insurance  
companies to  
compute  
reserve.

Proviso.

inspector, on application, the full particulars of each of its policies necessary for such computation, and shall pay to the inspector an amount at the rate of three cents for each policy or bonus addition so computed, which amount he shall pay over to the Provincial Treasurer.

Forms of  
statement  
changeable  
by Prov.  
Treas.

**152.** 1. The Provincial Treasurer may, from time to time, make such changes in the forms of statements to be furnished by companies and associations, as he may think necessary to meet the circumstances of any special case or to afford clearer or completer explanation.

Next reports  
when to be  
filed, &c.

2. The next report of the companies or associations mentioned in articles 148, 149 and 150, shall be filed on or before the first of March, 1910, and shall show the position of the company or association on the previous 31st December.

#### SECTION XVI

#### DIRECTORS

Scope of  
section.

**153.** In so far as they contain nothing inconsistent with the special rules applicable to any kind of insurance company or to mutual benefit or charitable associations, the provisions of this section shall apply to all insurance companies and mutual benefit and charitable associations incorporated under the laws of this Province and entered in the registers kept by the Provincial Treasurer.

Appointment  
&c.. of man-  
ager &c.

**154.** The board of directors may, from time to time, appoint a manager, secretary, treasurer, and such other officers, as to them seem necessary. They shall prescribe their duties, fix their compensation, take such security from them as is required by this act for the faithful performance of their respective duties, and remove them and appoint others in their stead.

Adoption of  
table of  
rates, &c.

The board may also, subject to the provisions of this act, adopt a table of rates, premiums or premium notes, as the case may be, and vary such table from time to time. They

Meetings.

may hold their meetings monthly, or oftener if necessary, for transacting the business of the company, and their secretary shall keep a record of their proceedings in a book kept for the purpose.

By-laws by  
directors.

**155.** 1. The board may, from time to time, make such by-laws as to them appear needful and proper respecting the funds and property of the company, the duty of the officers, agents and assistants thereof, the calling of instalments, the effectual carrying out of the objects contemplated by this act, the holding of the annual meeting, and all such other matters



as appertain to the business of the company, and are not contrary to law, and may, from time to time, alter and amend the said by-laws, except in cases with regard to which it is provided that any such by-law shall not be repealed, or where the repeal would affect the rights of other than the members of the company ; in any of which cases such by-law shall not be repealed.

2. Every by-law of the board shall be duly entered in the minute book, and unless and until amended or annulled by the board or by a general meeting of the members, shall be deemed to be a by-law of the company, Entry thereof in minute-book.

3. There shall be filed with the Provincial Treasurer copies of all by-laws that may, from time to time, be passed by the company or the board. Copies to be filed with Prov. Treas.

**156.** The board shall superintend and have the management of the funds and property of the company, and of all matters relating thereto, and not otherwise provided for. Management, &c., of property, &c., of company.

**157.** The board may make arrangements, with any other company, for the re-insurance of risks, on such conditions with respect to the payment of premiums thereon as may be agreed between them. Certain arrangements with other companies.

**158. 1.** The board may issue debentures or promissory notes in favor of any person, commercial establishment, or banking or other company, for the loan of money, and may borrow money therefrom on such debentures or promissory notes for any term not exceeding twelve months, and on such conditions as they think proper, and may renew the same from time to time for any such term. The whole of the assets, including premium notes of the company, shall be held liable for the payment of the same at maturity, but no such debenture or promissory note shall be for a less sum than one hundred dollars. Issuing of debentures, &c., borrowing, &c.

2. All the debentures and promissory notes at any one time outstanding, shall not exceed one fifth of the amount remaining unpaid upon the said premium notes. Limit of bonding power.

**159.** At any annual meeting of the members or shareholders of a company, or at any special general meeting thereof, if such purpose was clearly expressed in the notice of the special general meeting, it shall be lawful to enact by-laws or pass resolutions for the remuneration of the directors of the company, and copies of such by-laws or resolutions shall, within one week after their passing, be filed with the Provincial Treasurer. By-laws for remuneration of directors, &c.

**160.** If the managers, directors or trustees of any fire, life, marine, or other insurance company, incorporated by the Parliament of Canada, or by the Legislature of this Province, knowingly and wilfully declare and pay any dividend or bonus out of the paid-up capital of the company, when the company is insolvent, or which would render it insolvent, or which would diminish the amount of its capital stock, or so declare and pay any dividend or bonus in contravention of article 34, such managers, directors or trustees, who are present when such dividend or bonus is declared, shall, if the same is afterwards paid, be jointly and severally liable for all the debts of the company then existing and for all thereafter contracted while such managers, directors or trustees, respectively, continue in office; but if any of them object to the declaration of such dividend or bonus, or to the payment of the same, and at any time before the time fixed for the payment thereof, file a written statement of such objection in the office of the company, and also in the registry office of the division or county where the company is situate, such manager, director or trustees shall be exempt from such liability.

Directors  
jointly and  
severally  
liable, &c.

Proviso.

#### SECTION XVII

#### MUTUAL FIRE INSURANCE COMPANIES—LIABILITY OF MEMBERS— ASSESSMENTS

**161.** 1. A meeting of the members of the company, for the election of directors and for other purposes, shall be held on the second Wednesday of February of each year at the head office of the company; and if, for any cause, the directors be not elected at the meeting, those already in office shall continue to act as such until their successors are appointed at some subsequent meeting.

Meetings to  
elect direct-  
ors, &c.

The secretary of the company is *ex-officio* a member of the board of directors which appoints him, and he as such, as well as the directors, remain in office until the following annual meeting. They may, however, in the interval, be removed and replaced at a general meeting of the members specially convened for that purpose in accordance with article 164.

2. The directors may, nevertheless, at any time before the annual meeting, suspend the secretary from his duties for cause.

Secretary *ex  
officio* mem-  
ber of board,  
&c.

**162.** The proceedings for the election of directors shall be commenced by striking off, by rotation, from the former board, a number equal to the majority of the members of such board.

Suspension  
of secretary  
for cause.

Those who remain after this operation shall be members

Directors,  
how elected.

of the board for the year following, and proceedings shall then be taken to complete the number required for the formation of the said board.

Any member or members of such former board may be elected as members of the new one.

**163.** Any vacancy on the said board, happening in the interval between any two meetings, shall be filled by a person elected for that purpose by the majority of the remaining members of the board. Vacancies on board.

**164.** The president or the board of directors, or any twenty members of the company, may call a general meeting by giving at least fifteen days' notice thereof in a French newspaper and in an English newspaper published at or nearest to the place of business of the company. Calling of general meeting.

**165.** At the annual meeting, a report of the transactions of the company, for the year ending on the previous thirty-first day of December, shall be submitted, together with a full statement of all its affairs, exhibiting its receipts and expenditure, assets and liabilities, and a copy of such report shall be sent to the inspector of insurance for the Province. Report, &c., at annual meeting.

**166.** Each member of the company shall be entitled, at all meetings of the same, to the number of votes proportioned to the amount for which he is insured—that is to say : for any sum under one thousand dollars, one vote ; from one thousand dollars to two thousand dollars, two votes ; and one additional vote for every additional one thousand dollars. Voting power of members.

No member shall be entitled to vote while in arrears for any assessment. Members in arrears not to vote.

Any member may be represented by proxy, provided such proxy be himself a member of the company, and that no officer, director, manager or member shall hold proxies for members to an amount exceeding ten thousand dollars in all. Proxies, &c.

**167.** The directors shall be members of the company, and insurers therein, for the time they hold office, to the amount of at least fifteen hundred dollars. Qualifications of directors.

**168.** No person in the employment of the company under an annual salary, shall be eligible to be elected a director, or shall be allowed to interfere in the election of directors. Paid employees not eligible as directors.

**169.** The majority of the directors constitute a quorum for the transaction of business ; and, in case of an equality of Quorum, &c.

votes at any meeting of the board, the question shall pass in the negative.

Powers of directors.

**170.** The board of directors superintend the concerns of the company, and have the managements of the funds and property thereof and of all matters and things thereunto relating not otherwise provided for, and may, from time to time, elect one of their members to be president and another to be vice-president, and may appoint a secretary and a treasurer and such other officers, agents and assistants as they shall think necessary, and prescribe their duties, fix their compensation, take securities from them for the faithful performance of their duties, and remove them at pleasure.

Determine insurance rates, &c.

The board may determine the rates of insurance, the sum to be insured on any building or other property, and the sum to be deposited on the insurance thereof, and shall order and direct the making and issuing of all policies of insurance, the providing of books, stationery and other things needful for the office of the company, and for carrying on the business thereof, and may order the treasurer to pay the amount of any loss which has happened to the company and any expenses incurred in transacting the affairs thereof.

Special meetings of board.

The board may hold special meetings, as often as they shall deem necessary, and shall keep a record of their proceedings.

Entry of dissent in books, &c.

**171.** Any director, disagreeing with the majority of the board, may enter his dissent on the books of the company, with his reasons for so dissenting, which books shall, at all times, be open to the inspection of the members of the company and to the inspector of insurance.

When company may issue policies.

**172.** No policy shall be issued by any company formed under section II of this act, until applications have been made for insurance to the extent of two hundred thousand dollars at least, and approved of by the board of directors, and until deposit notes to the amount of at least ten thousand dollars have been *bonâ fide* signed and delivered to the company.

Limit of fire risk.

The board of directors shall in no case issue a policy for an amount exceeding five thousand dollars on one risk, unless the amount of the excess is re-insured, or allow the amount of insurance effected in any one city or town to exceed fifteen per cent of the total insurances effected by the company.

Proviso.

Separation of business into classes.

**173.** The company may, by a by-law, separate its business into two classes or departments, with reference to the nature or classification of the risks to be insured, or of the particular localities in which insurances may be effected, which shall be known as the "farm and isolated class risks,"

and the "commercial and extra-hazardous class," respectively; provided that such by-law be first approved by a majority of the members of such company present at the annual meeting referred to in article 161, or at a special meeting convened as directed by article 164.

**174.** The directors of any company, who have so separated their business into two classes, shall cause to be prepared a <sup>Schedule of</sup> schedule of the risks which may be insured in each class, and <sup>risks per</sup> a tariff of rates for the same. <sup>class, &c.</sup>

They shall cause the accounts in each class to be kept <sup>Accounts in</sup> separate and distinct the one from the other, and make any <sup>each class</sup> other regulations they may think necessary to keep the affairs <sup>separate, &c.</sup> of the two classes separate; and members of any such company insuring in one class shall not be liable for any claims on the other.

**175.** All necessary expenses, incurred in the conducting <sup>Division of</sup> and management of such company, shall be assessed upon <sup>expenses</sup> and divided between the two classes, in such proportion as <sup>between</sup> the directors may determine. <sup>classes.</sup>

**176.** Any mutual fire insurance company, may effect any <sup>Cash insur-</sup> insurance upon the cash premium principle, for a period not <sup>ance by mu-</sup> exceeding three years, on farm and other non-hazardous prop- <sup>tual fire in-</sup> erty, and for one year or less on any other class of property, <sup>surance com-</sup> on complying with the provisions of article 23 of this act. <sup>pany.</sup>

**177.** 1. Every person who, at any time, becomes inter- <sup>Insured in</sup> ested in any existing mutual fire insurance company in this <sup>mutual fire</sup> Province, or in any such company incorporated under section <sup>insurance</sup> II of this act, by insuring therein, shall be a member thereof <sup>company,</sup> during the time specified in his policy, and shall, during such <sup>members</sup> time, be bound by the law governing the same; but he may, <sup>thereof.</sup> without the consent of the company, withdraw therefrom, upon the terms and conditions specified in article 183.

2. If, however, the company does business on the fixed pre- <sup>Insured on</sup> mium plan, no person insured under the non-mutual plan <sup>non-mutual</sup> shall be interested therein except as provided by article 23 <sup>plan not</sup> of this act. <sup>members.</sup>

**178.** Every member of any mutual insurance company shall, <sup>Deposit note.</sup> before he receives his policy, deposit his note or undertaking (hereinafter called a deposit note) payable on demand to the company only, endorsed to the satisfaction of the directors, and for a sum of money proportioned according to the classification of risks established by the directors.

A part of said note, to such amount as the directors have

Part of de-  
posit note  
payable in  
advance, &c. by their by-laws determined, may be demanded and taken from such member, before he receives his policy, for the purpose of raising a fund to defray the incidental expenses of the company, and the remainder shall be payable, in whole or in part, at any time when the directors deem the same to be necessary for the payment of the losses or expenses of the company.

Balance  
how payable,  
&c. In case the member is unable to write or sign his name, he may sign the deposit note or undertaking with his mark, in presence of a witness resident in the locality and who is not an agent of the company.

Signing note  
by mark. In case the member is unable to write or sign his name, he may sign the deposit note or undertaking with his mark, in presence of a witness resident in the locality and who is not an agent of the company.

Note de-  
tached from  
other con-  
tracts, &c. **179.** 1. Every deposit note or other undertaking, must be completely detached from any other form or any other writing whatever, and the words "deposit note or undertaking," shall be printed in conspicuous type at the head of such deposit note.

On pain of  
nullity. Every note or undertaking signed in contravention of this article shall be *de jure* null and void.

Forms. 2. Forms H., I. & J. to this act, or any forms to the same effect, shall be sufficient for the purposes for which they are intended.

Annual by-  
laws re  
amount of  
assessments. **180.** The directors of the company may, by by-law, declare in each year, in advance, the amount of assessment on the deposit notes required to be paid in to meet the estimated annual losses and expenses, upon an estimate of the probable losses and expenses during the year, to be published in the manner to be provided by such by-law.

Insurable  
risks. **181.** Within the limits specified in its license, and in accordance with article 201, the company may insure dwelling houses, stores, shops and other buildings, household furniture, merchandise, machinery, live-stock, farm produce, and other commodities, against damage or loss by fire or lightning, whether the same happens by accident or any other means except design on the part of the insured, foreign invasion, or insurrection.

Assignment  
of policy as  
security, &c. **182.** Where the assignee of the policy is the holder of a hypothecary claim against the property insured, the directors may permit the policy to remain in force and to be transferred to him by way of additional security, without requiring any note or undertaking from such assignee or his becoming in any manner personally liable for assessments or otherwise; but, in such cases, the deposit note or undertaking and liability of the vendor or assignor in respect thereof, shall be in nowise affected.

**183.** 1. The company, or the secretary if the company has <sup>Cancellation</sup> given him a general or special authority for that purpose, may <sup>of policy.</sup> cancel any policy, in accordance with the conditions thereof, by giving to the insured notice in writing to that effect, signed by the secretary and transmitted to the insured by registered letter.

2. The person insured shall nevertheless be liable to pay <sup>Liability for</sup> his proportion of the losses and expenses to the company up <sup>losses before</sup> to the time of such cancellation, and, on so doing, he shall be <sup>cancellation.</sup> entitled to a return of his deposit note.

3. Paragraph 2 of this article shall, as against the insured, <sup>Such liability</sup> be deemed to form part of the contract, and no provision to the <sup>deemed part</sup> contrary or providing for any change, addition or omission, <sup>of contract,</sup> shall bind the insured in any way. <sup>&c.</sup>

4. Nevertheless, should a loss occur on the property in- <sup>Retention of</sup> sured by the company, the board of directors may retain the <sup>deposit note</sup> amount of the deposit note or undertaking given for the in- <sup>in certain</sup> surance of such property, until the expiration of the term for <sup>case.</sup> which the insurance was contracted, and at the expiration of such term, the insured may withdraw such part of the amount retained as has not been assessed.

5. When a policy has expired and all the assessments from <sup>When depo-</sup> the previous 31st December to the day of the expiration of the <sup>sit note ex-</sup> policy have been levied, the deposit note or undertaking is <sup>hausted, &c.</sup> null and void and must be delivered to the signer thereof on his application therefor, if all the assessments above mentioned have been paid.

**184.** When a policy has expired or has been annulled by <sup>Return of</sup> the board or by the secretary for any reason whatever, and <sup>deposit note</sup> when the insured has paid his dues to the company, his <sup>in certain</sup> deposit note shall be returned to him ; but in no case shall <sup>cases</sup> such a policy-holder have the right to ask or claim any share <sup>Proviso</sup> in the reserve fund except where the company winds up its affairs during the five years from the expiration or cancella- tion of the policy ; the holder of an expired or cancelled po- licy then has the right, as against the other policy holders, to claim his proportionate share of the reserve fund.

**185.** Every member of the company shall pay his propor- <sup>Proportion-</sup> tion of all losses and expenses incurred, and the deposit notes <sup>ate payment</sup> or undertakings, belonging to the company, shall be assessed <sup>of losses.</sup> under the direction of the board of directors, at such intervals from their respective dates, for such sum as the directors de- <sup>Assessments.</sup> termine, and for such further sums as they may think neces- sary, to meet the losses and other expenditure incurred during the currency of the policies for which the said notes or under-

takings were given, and in respect to which they are liable to assessment.

Payments on  
deposit notes

Every member of the company or person who has given his deposit note, shall pay such sums, from time to time, during the continuance of the policy in accordance with such assessment.

Apportion-  
ment of  
amount of  
loss.

**186.** Whenever any loss or damage by fire, sustained by any member, is ascertained and is payable by any such company, the directors shall settle and determine the sums to be paid by the several members as their respective portion of such loss, and publish the same in such manner as shall be provided by the by-laws of the company.

Contribution  
proportion-  
ate to ori-  
ginal amount  
of deposit  
note.

The sum to be paid by each member shall always be in proportion to the original amount of his deposit note, and shall be paid to the treasurer within thirty days next after the publication of such notice.

Suit to re-  
cover assess-  
ment.

If any member, during thirty days after such notice, fail, neglect or refuse to pay such sum as determined by the directors, the directors may sue for and recover from such member the amount of his deposit note and costs of suit, and the amount recovered shall remain in the hands of the treasurer of the company, subject to the payment of the portion of all losses and expenses to which such member shall be liable; and the balance, if any, shall be returned to such member at the expiration of the term of his policy.

Settlement  
and payment  
of losses.

**187.** Whenever any loss or damage by fire, sustained by any member of the company, is ascertained, and payable by the company, the directors may cause the same to be settled and paid conformably to this section and the regulations of the company, and may cause to be entered in the books of the company the amount of the assessment to be paid by each member of the said company, on the amount of his deposit notes.

Loan for cer-  
tain purpose.

**188.** In order that there may be but one assessment annually, and that it be imposed at the annual meeting of the company, the directors are hereby authorized, in case of any loss or damage by fire, or to cover incidental expenses, to borrow such sums of money as the circumstances may render necessary, but the amount which the directors may borrow is limited to one-fifth of the amount of their unassessed deposit notes.

To be in-  
cluded in  
next assess-  
ment, &c.

The interest payable on such loans, as well as the capital thereof, if not previously provided for, may be included in the annual assessment, which however, shall be imposed, as nearly as may be practicable, on the deposit notes in force at the time of such loss and of the loan effected to repay the same.



**189.** The directors shall cause a notice of the total amount of assessments on deposit notes to be paid in any year, to be published in the form provided by the by-laws of the company, in at least one newspaper published within the district where the property insured is situated if there be such newspaper published within the district, and if not, the same shall be published in a newspaper published nearest to the district in which the said property is situated, or by a circular mailed to each member.

Publication of notice of assessments.

It shall be lawful for the company to dispense with publishing the rate of assessments in a newspaper, provided a notice of such assessments is sent to each member of the company by mail.

Not necessary if notice mailed.

**190.** Thirty days after such notice, the directors may sue for and recover, with costs, the assessments on the deposit notes of the members who have refused or neglected, during such time, to pay to the treasurer of the company the sum of money which the directors have declared to be payable on such deposit note.

When suits on deposit notes may be taken.

In all suits for the recovery of the said assessments, the certificate of the secretary-treasurer of the company shall be *prima facie* evidence that the same are due and that all formalities have been complied with.

Certain certificate *prima facie* evidence.

**191.** Any member of such company who fails to pay his assessments within three months from the time they become due, shall not be entitled to recover from the company for any loss which he may sustain thereafter; provided that a demand in writing has been transmitted, by registered letter to such member for payment of the same before such loss occurred.

Members in default not to recover for loss. Proviso.

**192.** To secure the payment of all assessments which may be imposed on the deposit notes of the members, the company shall have a privilege upon the whole of the moveable property of the insured, and also a hypothec, from the date of the deposit note, upon the immoveable property mentioned in the policy of insurance, as well as upon the real estate thereunto appertaining.

Privilege, &c., to secure deposit notes

Notwithstanding articles 1994 and 2009 of the Civil Code, such privilege shall rank and take precedence after municipal taxes and rates, and shall remain in force and be valid in law for the same time.

Rank of privilege.

Such hypothec exists without registration.

Registration unnecessary.

**193.** Whenever properties, affected by the privilege or

Filing of

statement  
in case of  
forced sale.

hypothec of the company, are advertised to be sold by forced sale, the secretary-treasurer of the company or his assistant shall file, within the six days following the sale, in the office of the prothonotary of the Superior Court or of the clerk of the Circuit Court or of the curator, as the case may be, a claim for all assessments due, and for such as shall become due up to the end of the then current fiscal year ; and the company shall have the right to be collocated for the amount of the said claim on the proceeds of such sale according to the privilege and rank established by article 192.

Execution  
against com-  
pany when  
to issue.

**194.** No execution shall issue against the company upon any judgment, until after three months from the rendering thereof.

Judge not  
recusable,  
because  
member.

**195.** The interest any judge may have in the issue of any suit to which any existing mutual fire insurance company in this Province, or any company formed under section II, is a party, by reason of his being a member of such company, shall not be sufficient cause for his recusation in such case.

#### SECTION XVIII

#### GENERAL PROVISIONS APPLICABLE TO ALL COMPANIES OR ASSOCIATIONS

Certain con-  
tracts to be  
construed ac-  
cording to  
law of Pro-  
vince, &c.,

**196.** When the subject matter of any insurance contract is property, or an insurable interest within the jurisdiction of the Province of Quebec, or is in connection with a person domiciled or resident therein, any policy, certificate, interim receipt, or writing evidencing the contract shall, if signed, countersigned, issued or delivered in the Province of Quebec, or committed to the post office or to any carrier, messenger or agent, to be delivered or handed over to the assured, his representative or agent in the Province, be deemed to evidence a contract made in the Province, and the contract shall be construed according to the law of this Province, and all moneys payable under the contract, shall be paid at the office of the chief officer or agent of the company or association effecting the insurance in this Province. This article shall have effect notwithstanding any agreement, condition or stipulation to the contrary.

Contracts,  
&c., not to  
affect article.

Terms of  
contract to  
be set out in  
instrument,  
&c.

**197. 1.** Where an insurance contract made by any company or association, is evidenced by a written instrument, the company or association shall set out all the terms or conditions of the contract in full on the face or back of the instrument forming or evidencing the contract, and, unless so set out, no term or condition, stipulation or proviso modifying

or impairing the effect of any such contract made or renewed after the coming into force of this act, shall be good and valid or admissible in evidence to the prejudice of the assured or beneficiary.

2. Nothing contained in this article shall exclude the proposal or application of the assured from being considered with the contract, and the court shall determine how far the insurer was induced to enter into the contract by any misrepresentation contained in the said application or proposal. Application may be considered with contract.

3. A mutual benefit or charitable association may, however, instead of setting out the complete contract in the certificate or other instrument of contract, indicate therein, by particular references, those articles or provisions of the constitution, by-laws or rules which contain all the material terms of the contract not inserted in the instrument of contract itself, and the association shall, at or before the delivery over of such instrument of contract, deliver also to the assured a copy of the constitution, by-laws and rules therein referred to. Contracts of mutual benefit associations, &c.

**198.** After any loss or damage to insured property, the insurance company shall have, by a duly accredited agent, an immediate right of entry and access sufficient to survey and examine the property and make an estimate of the loss or damage. Entry on property after loss.

#### SECTION XIX

#### INSURANCE OF THE PERSON

**199.** 1. In any insurance of the person, where the money payable by way of premiums, dues or assessments (not being the initial premiums, dues or assessments), under any contract whatsoever, is unpaid, the insured, or one of the beneficiaries, or the beneficiaries under the policy, may, within thirty days from and including the first day on which the money is due, by registered letter or otherwise, pay, deliver or tender to the company or association at its head office, or at its chief agency in the Province, or to the collector or authorized agent of the company or association, the sum in default. The contract of insurance shall continue in existence during such thirty days, and any stipulation or agreement to the contrary shall, as against the assured or his beneficiaries, be utterly void. The thirty days hereinbefore mentioned shall run concurrently with the period of grace or credit, if any, allowed by the insurer for the payment of a premium or of an instalment of premium. Premium may be paid thirty days after due, &c.

Nothing in this act contained shall be deemed to extend the period of grace or credit beyond the total of thirty days, or as preventing the insurer from charging legal interest, during Delay to run concurrently with days of grace, &c.

said thirty days, upon the amount of the premium due by the insured.

Extension  
thereof, &c.

2. Notwithstanding any stipulation or agreement to the contrary, any action or proceeding against the insurer for the recovery of any claim under or by virtue of a contract of insurance of the person, may be commenced at any time within one year next after the happening of the event insured against, or within the further term of six months, by leave of a judge of the Superior Court, on a petition, upon its being shown to his satisfaction that there was a reasonable excuse for not commencing the action or proceeding within the first mentioned term.

Prescription.

3. But no such action or proceeding shall be commenced after the expiration of the year and additional six months, except in cases where death is presumed from the assured not having been heard of during seven years, in which case any action or proceeding may be commenced within one year and six months from the expiration of such period.

Insurance on  
life of  
children.

**200.** 1. No company or association shall insure or pay on the death of a child under ten years of age, any sum of money which, added to any sum payable on the death of such child by any other insurer, will exceed the following amounts respectively, that is to say :

If such child dies under the age of :

2 years	.....	\$ 32 00
3 "	.....	40 00
4 "	.....	48 00
5 "	.....	56 00
6 "	.....	83 00
7 "	.....	140 00
8 "	.....	168 00
9 "	.....	200 00
10 "	.....	260 00

Proviso.

Nothing in this article shall apply to such insurances on the lives of children under ten years of age as were in existence on the coming into force of this act, or apply to insurance on the lives of children of any age where the person effecting the insurance has a pecuniary interest in the life of the assured.

Premiums  
recoverable  
in certain  
cases.

2. Where the age of the assured is, at the date of the contract, less than ten years, and the company or association has knowingly, or without sufficient inquiry, entered into any contract prohibited by paragraph 1 of this article, the premiums paid thereunder shall be recoverable from the company or association by the person or persons paying the same, together with legal interest thereon.

3. Every company or association undertaking or effecting insurances on the lives of children under ten years of age, shall print paragraphs 1 and 2 of this article, and article 2590 of the Civil Code, in conspicuous type upon every circular soliciting and upon every application for and every form of contract of such insurance; and any contravention of this paragraph shall be punishable as an offence against article 130 of this act.

Nevertheless, instead of printing what is required by paragraph 3 of this article, the company may, with the permission of the Provincial Treasurer, cause to be printed or stamped on the circulars, in every application and every form of contract, in conspicuous type, the words: "All insurances effected or solicited in the Province of Quebec in connection with the lives of children under ten years of age is subject to the restrictions contained in article 200 of the Quebec Insurance Act."

#### SECTION XX

#### GENERAL PROVISIONS APPLICABLE TO ALL FIRE INSURANCE COMPANIES

**201.** 1. Every company licensed and registered for the transaction of fire insurance may, within the limits prescribed by the license and registration, insure and reinsure dwelling houses, stores, shops and other buildings, household furniture, merchandise, machinery, live stock, farm produce, and other commodities, against damage or loss by fire or lightning, whether the same happens by accident or any other means, except design on the part of the assured, the invasion of an enemy, or insurrection.

2. Any insurance company registered under this act for the transaction of fire insurance, and lawfully insuring any mercantile or manufacturing risk against fire, may, either by the same or a separate contract, insure the same risk against loss or damage arising from defects in or injuries to sprinklers or other fire extinguishing appliances.

**202.** 1. Contracts of fire insurance, with the exception of those entered into by mutual insurance companies on the mutual system which are limited to five years, shall not exceed the term of three years; and the insurance of mercantile and manufacturing risks shall, if on the cash system, be for terms not exceeding one year.

2. Any contract that may be made for one year or any shorter period, on the deposit note system, or for three years or any shorter period on the cash system, may be renewed, at the discretion of the board of directors, by a renewal receipt

instead of a policy, on the insured paying the required premium, or, in the case of a contract on the deposit note system, by giving a new deposit note or undertaking; and any cash payments or deposit notes for renewal, must be made at the end of the year or other period for which the deposit note was granted, otherwise the policy shall be null and void.

Limit on one risk.

Proviso.

Suspension, &c., if limit exceeded.

3. No registered company, authorized to effect insurance against fire in this Province, shall incur liability upon a single risk, to an amount exceeding 10 per cent of its capital and surplus, unless such excess is reinsured in another company.

4. The Provincial Treasurer may suspend or cancel the license or registration of a company that assumes a heavier responsibility on a single risk than that permitted by paragraph 3 of this article.

Conditions embodied in policy.

**203.** The conditions set forth in this article shall, as against the insurer, be deemed to be part of every contract of fire insurance hereafter entered into or renewed or otherwise in force in the Province of Quebec, with respect to any property therein or in transit therefrom or thereto, and shall be printed on every such policy with the heading "Conditions of the Policy," and no stipulation to the contrary, or providing for any variation, addition or omission, shall be binding on the assured unless evidenced in the manner prescribed by articles 204 and 205.

#### CONDITIONS OF THE POLICY

1. If any person insures his buildings or goods, and causes the same to be described otherwise than as they really are, to the prejudice of the company, or misrepresents or omits to communicate any circumstance which is material to be made known to the company, in order to enable it to judge of the risk it undertakes, such insurance shall be of no force with respect to the property in regard to which the misrepresentation or omission is made; but when the application is made out by the company's agent, such application shall be deemed to be the act of the company.

2. After application for insurance, it shall be presumed that any policy sent to the assured is intended to be in accordance with the terms of the application, unless the company points out, in writing, the particulars wherein the policy differs from the application.

3. Any change in the use or condition of the property insured as defined by the policy, made without the consent of the insurer, and within the control or knowledge of the assured, and which increases the risk, shall void the policy, unless the change is promptly notified in writing to the company or its

local agent ; and the company, when so notified, may return the premium for the unexpired period and cancel the policy, or may demand in writing an additional premium, which the assured shall, if he desires the continuance of the policy, forthwith pay to the company ; and if he neglects to make such payment forthwith after receiving such demand, the policy shall be no longer in force.

4. The insurance is rendered void by the transfer of the interest in the object of it from the insured to a third person unless such transfer is with the consent or privity of the insurer.

The foregoing rule does not apply in the case of rights acquired by succession or in that specified in clause *b* of this paragraph.

*a.* The insured has a right to assign the policy with the thing insured, subject to the conditions therein contained.

*b.* A transfer of interest by one to another of several partners or owners of undivided property who are jointly insured does not avoid the policy.

5. Where property insured is only partially damaged, no abandonment of the same will be allowed unless with the consent of the company or its agent, and in case of removal of property to escape conflagration, the company will contribute to the loss and expense attending such act of salvage proportionately to the respective interests of the company or companies and the assured.

6. Money, books of account, securities for money, and evidences of debt or title are not insured.

7. Plate, plate glass, plated ware, jewelry, paintings, sculptures, curiosities, scientific and musical instruments, patterns, plans, uncoined gold and silver, works of art, articles of vertu, frescoes, clocks, watches, trinkets and mirrors are not insured unless mentioned in the policy.

8. The company is not liable for loss if there is any prior insurance in any other company, unless the company's assent thereto appears in the policy or is endorsed thereon, nor if any subsequent insurance is effected by any other company, unless and until the company assents thereto, or unless the company does not dissent in writing within two weeks after receiving written notice of the intention or desire to effect the subsequent insurance, or does not dissent in writing after that time and before the subsequent or future insurance is effected.

9. In the event of any other insurance on the property so described, having been assented to as aforesaid, then the company shall, if such other insurance remains in force, on the happening of any loss or damage, only be liable for the payment of a rateable proportion of such loss or damage without reference to the dates of the different policies.

10. The company is not liable for the losses following, that is to say :

*a.* For the loss of property owned by any other person than the assured, unless the interest of the assured is stated in or upon the policy ;

*b.* For loss by fire caused by invasion, insurrection, riot, civil commotion, military or usurped power, earthquake or volcanic eruption ;

*c.* Where the insurance is upon buildings or their contents, for loss caused through the want of good and substantial brick or stone chimneys ; or by ashes or embers being deposited, with the knowledge and consent of the assured, in wooden vessels ; or by stoves or stove-pipes being, to the knowledge of the assured, in an unsafe condition or improperly secured.

*d.* For loss or damage to goods destroyed or damaged while undergoing any process in or by which the application of fire heat is necessary.

*e.* For loss or damage occurring to buildings or to their contents, while the buildings are being repaired by carpenters, joiners, plasterers or other workmen, and when loss or damage to such buildings or their contents is due to such carpenters, joiners, plasterers or other workmen, unless permission to execute such repairs has been previously granted in writing, signed by a duly authorized agent of the company. But in dwelling houses fifteen days are allowed in each year for incidental repairs without such permission.

*f.* For loss or damage occurring when petroleum, or rock-earth or coal-oil, camphene, gasoline, burning fluid, benzine, naphtha or any liquid products thereof, or any of their constituent parts (refined coal-oil for lighting purposes only, not exceeding five gallons in quantity, or lubricating oil not being crude petroleum or oil of less specific gravity than required by law for illuminating purposes, not exceeding five gallons in quantity, excepted), or more than twenty-five pounds of gunpowder, is or are stored or kept in the building insured or contained in the property insured, unless permission is given in writing by the company.

11. The company shall make good, loss caused by the explosion of gas in a building not forming part of the gas-works, and all other loss caused by any explosion causing a fire and all loss caused by lightning, even if it does not set fire.

12. Proof of loss must be made by the assured, although the loss be payable to a third person.

13. Every person entitled to make a claim under this policy shall observe the following directions :

*a.* He shall forthwith after loss give notice in writing to the company ;



b. He shall deliver, as soon after as practicable, as particular an account of the loss as the nature of the case permits ;

c. He shall also furnish therewith a sworn declaration establishing:

1. That the said account is just and true ;
2. When and how the fire originated so far as declarant knows or believes ;
3. That the fire was not caused through his wilful act or neglect, procurement, means or contrivance ;
4. The amount of other insurances ;
5. All liens, and incumbrances on the property insured ;
6. The place where the property insured, if moveable, was deposited at the time of the fire.

d. He shall, in support of his claims, if required and if practicable, produce books of account, warehouse receipts and stock lists, and furnish invoices and other vouchers, and also copies of all his policies ; and shall separate, as far as reasonably may be, the damaged from the undamaged goods, and exhibit for examination all that remains of the property which was covered by the policy.

e. He shall produce, if required, a certificate under the hand of a magistrate, notary, commissioner for taking affidavits, or municipal clerk, residing in the vicinity in which the fire happened, and not concerned in the loss or related to the assured or sufferers, stating that he has examined the circumstances attending the fire, loss or damage alleged, that he is acquainted with the character and circumstances of the assured or claimant, and that he verily believes that the assured has, by misfortune and without fraud or evil practice, sustained loss and damage in respect of the property assured to the amount certified.

14. The above proofs of loss may be made by the agent of the assured, in case of the absence or inability of the assured himself to make the same, such absence or inability being satisfactorily accounted for.

15. Any fraud or false representation in relation to any of the above particulars, shall vitiate the claim.

16. If any difference arises as to the value of the property insured, of the property saved or the amount of the loss, such value and amount and the proportion thereof (if any) to be paid by the company, shall, whether the right to recover on the policy is disputed or not, and independently of all other questions, be submitted to the arbitration of some person to be chosen by both parties, or if they cannot agree on one person, then to two persons, one to be chosen by the party assured and the other by the company, and a third to be appointed by the

two persons first chosen, or, on their failing to agree, then by a judge of the Superior Court sitting in the district wherein the loss has happened ; and such reference shall be subject to the provisions of articles 1431 and following of the Code of Civil Procedure. The award shall, if the company is in other respects liable, be conclusive as to the amount of the loss and proportion to be paid by the company. Where the full amount of the claim is awarded the costs shall follow the event, and, in other cases, all questions of costs shall be in the discretion of the arbitrators.

17. The loss shall not be payable until sixty days after completion of the proofs of loss, unless otherwise provided for by the contract of insurance.

18. The company, instead of making payment, may repair, rebuild or replace, within a reasonable time, the property damaged or lost, giving notice of their intention within fifteen days after the receipt of the proofs herein required.

19. The insurance may be terminated by the company, by giving notice to that effect, and, if on the cash plan, by tendering therewith a rateable proportion of the premium for the unexpired term, calculated from the termination of the notice. In the case of personal service of the notice, five days' notice, excluding Sunday, shall be sufficient. Notice may be given by any company having an agency in the Province of Quebec, by registered letter addressed to the assured at his last post office address notified to the company, and where no address has been notified, then to the post office of the agency from which the application was received, and, where such notice is by letter, then seven days from the arrival at any post office in the Province shall be deemed good notice. The policy shall cease after such tender and notice aforesaid, and the expiration of the five or seven days as the case may be.

The insurance, if for cash, may also be terminated by the assured, by giving written notice to that effect to the company or its authorized agent, in which case the company may retain the customary short rate for the time the insurance has been in force, and shall pay to the assured the balance of the premium paid.

20. No condition of the policy, either in whole or in part, shall be deemed to have been waived by the company, unless the waiver is clearly expressed in writing, signed by an agent of the company.

21. An officer or agent of the company, who assumes on behalf of the company to enter into any written agreement relating to any matter connected with the insurance, shall be deemed *prima facie* to be the agent of the company for such purpose.

22. Every action or proceeding against the company for the

recovery of any claim under or by virtue of this policy, shall be absolutely barred, unless commenced within one year next after the loss or damage occurs.

23. Any written notice to the company for any purpose of the conditions of the policy, where the mode thereof is not expressly provided by law, may be by letter delivered at the head office of the company in the Province, or by registered post letter addressed to the company, its manager or agent, at such head office, or by such written notice given in any other manner to an authorized agent of the company.

204. If the insurer desires to vary the said conditions, or <sup>Variations in</sup> to omit any of them, or to add new conditions, there shall be <sup>conditions.</sup> added to the contract containing the printed statutory conditions, words to the following effect, printed in conspicuous type and in ink of a different colour:

*"Variations in conditions"*

"This policy is issued on the above conditions with the following variations and additions: (*set forth the conditions*).

"These variations are made by virtue of the Quebec Insurance Act, and shall have effect in so far as, by the court or judge before whom a question is tried relating thereto, they shall be held to be just and reasonable requirements on the part of the company."

205. No such variation, addition or omission shall, unless <sup>Must be</sup> the same is distinctly indicated and set forth in article 204, <sup>distinctly</sup> be legal and binding on the insured. <sup>indicated.</sup>

It shall be optional with the insurers to pay or allow claims <sup>Payment of</sup> which are void under the third, the fourth, or the eighth con- <sup>certain</sup> dition of the policy, in case the insurers think fit to waive the <sup>claims op-</sup> objections mentioned in the said conditions. <sup>tional, &c.</sup>

SECTION XXI

INSPECTION OF INSURANCE COMPANIES LICENSED IN THE  
PROVINCE

206. For the more efficient administration of the insu- <sup>Inspector of</sup> rance business in the Province, the Lieutenant-Governor in <sup>insurance.</sup> Council may appoint an officer, to be called the "Inspector of Insurance," who shall act under the instructions of the Provincial Treasurer.

His duty shall be to examine and report to the Provincial <sup>His duties.</sup> Treasurer, from time to time, upon all matters connected with insurance, as carried on by licensed companies subject to the legislative authority of this Province.

Annual inspection, &c.

**207.** 1. The inspector of insurance shall visit the head office of every such company at least once in every year, and shall carefully examine the statements of the company as to its condition and affairs, verify the same by the books of the company, and report thereon to the Provincial Treasurer as to all matters requiring his attention and decision.

Annual report of condition of affairs.

2. The inspector shall, from such examination, prepare and lay before the Provincial Treasurer, on or before the first of May, an annual report of the condition of every company's business, as ascertained by him from his personal inspection, and such report shall be made for the year ending the thirty-first of December previous.

Further inspection in certain cases.

**208.** If the inspector, after a careful examination into the condition and affairs of any company, deem it necessary and expedient, from the annual or other statement furnished by such company to the Provincial Treasurer, or from any other cause, to make a further examination into the affairs of such company and to report thereon to the Provincial Treasurer, the latter may, in his discretion, instruct the inspector to visit the office of such company, to thoroughly inspect and examine into all its affairs, and to make all such further inquiries as are necessary to ascertain its condition and ability to meet its engagements.

Books, &c., to be open to inspection, &c.

**209.** The officers or agents of any such company shall, under the penalties enacted by articles 126 and 130, cause their books to be open for the inspection of the inspector, and otherwise facilitate such examination, so far as may be in their power; and the inspector may examine, under oath, any officer or agent of the company relative to its business.

Entry of reports in book, &c.

**210.** A report upon all companies, so visited by the inspector, shall be entered by him in a book kept for that purpose, with notes and memoranda showing the condition of each company, and a special written report shall be communicated to the Provincial Treasurer, stating the inspector's opinion of the condition and financial standing of each company, and all other matters desirable to be made known to the Provincial Treasurer.

Valuation of policies every five years, &c.

**211.** Once in every five years, or oftener at the discretion of the Provincial Treasurer, the inspector shall himself value, or procure to be valued under his supervision, all the policies of life insurance companies, and such valuation, as to policies delivered on or after the first day of January, 1901, and bonus additions or profits acquired or declared in respect thereof, shall be based on the mortality tables of the Institute of

Actuaries of Great Britain, and at a rate of interest of three and one half per centum per annum.

The word "policies" applies to annuity contracts as well. "Policies" include annuity contracts.

**212.** If it appear to the inspector that the liabilities of any company, including matured claims and the full reserve or re-insurance value for outstanding policies, estimated or computed on the basis mentioned in article 211, exceed its assets, or that its assets are insufficient to justify its continuance of business, or that it is unsafe for the public to effect insurance with it, he shall report the fact to the Provincial Treasurer. Report to Provincial Treasurer that liabilities exceed assets, &c.

**213.** The Lieutenant-Governor in Council, after full consideration of the inspector's report, and after having given the company a reasonable time to be heard, and after such further inquiry and investigation as he may see fit to make, may suspend or cancel the company's license. The company shall not thereafter do business in the Province so long as its license is not duly restored by the same authority. Suspension or cancellation of license.

**214.** If, within one month from the suspension or cancelling of its license, the company in default has not arranged its affairs so as to enable the inspector of insurance, after inquiry, to recommend the renewal of its license, the inspector, if authorized by the Provincial Treasurer, shall apply, by petition, to a judge of the Superior Court, for the appointment of a liquidator who shall proceed with as little delay as possible to liquidate the affairs of the company, under the direction of the inspector, in the same manner as the liquidator appointed under articles 227 and 228 is authorized to do under this act. Application for appointment of liquidator in certain cases. Winding up.

**215.** If it appear to the inspector, that any company which has not been incorporated by charter from the Legislature of Quebec, has assumed the name of a previously established company, or any name liable to be unfairly confounded therewith, or otherwise on public grounds objectionable, he shall make a report thereof to the Provincial Treasurer. Report as to improper name.

**216.** Towards defraying the expense of the inspector's office, a sum, the amount whereof shall be fixed by the Lieutenant-Governor in Council not exceeding four thousand dollars, shall be annually contributed and paid to the Provincial Treasurer by the insurance companies hereinbefore referred to. Contribution by companies to inspector's expenses.

Such sum shall be assessed *pro rata* upon the gross amount of the policies of each company in force at the expiration of Apportionment thereof, &c.

the preceding year, and the Provincial Treasurer's certificate shall be conclusive as to the amount each or any company is to pay under this article.

Inspection  
not obliga-  
tory in cer-  
tain cases,  
&c.

**217.** The inspection provided for by this section, shall not be obligatory upon mutual insurance companies against fire, lightning and wind, organized by municipal councils or by individuals ; but, at the request of twelve persons interested therein, the services of the inspector may be made use of in connection with the affairs of any such company.

#### SECTION XXII

#### INSPECTION OF MUTUAL BENEFIT ASSOCIATIONS AND CHARITABLE ASSOCIATIONS

Certain as-  
sociations  
liable to  
inspection.

**218.** With the exception of mutual benefit or charitable associations authorized by the Dominion of Canada, all mutual benefit associations, formed in this Province under article 65 or under special charter, or constituted outside the Province and carrying on business in the Province, with the authorization of the Provincial Treasurer, are subject to the inspection prescribed by this section.

Inspection of  
Mutual  
Benevolent  
Associations.

**219.** The Lieutenant-Governor in Council may appoint an officer, to be called the "Inspector of Mutual Benevolent Associations," with an annual salary not exceeding fifteen hundred dollars to be paid out of the consolidated revenue fund of this Province.

Duties of  
inspector.

It shall be the duty of such inspector to examine and report to the Provincial Treasurer, from time to time, upon all matters connected with mutual benefit associations in accordance with instructions from the latter.

Annual in-  
spection,  
and report,  
&c.

**220.** The inspector shall visit the head office of every association at least once in every year, or oftener if thereto required by the Provincial Treasurer, and shall carefully examine the statements of the association as to its condition and affairs, verify the same by the books of the association, and report thereon to the Provincial Treasurer as to all matters requiring his attention and decision.

Report to  
Provincial  
Treasurer.

**221.** The inspector shall, from such examination, prepare and lay before the Provincial Treasurer, on or before the first of May of each year, a report of the condition of the business of every association, as ascertained by him from his personal inspection.

**222.** The officers or agents of any such association shall have their books open for the inspection of the inspector, and facilitate such examination in accordance with article 126. Books to be open for inspection.

The inspector may examine, under oath, any officer or agent of the association relative to its affairs. Examination of officers, &c., under oath.

**223.** If it appears to the inspector that the assets or sources of revenue of any association are insufficient to justify the continuance of its business, he shall make a special report on the affairs of such association to the Provincial Treasurer. He shall, in all cases, make such report whenever the liabilities of the association exceed its available assets. Report when assets insufficient, &c.

**224.** The Lieutenant-Governor in Council, after full consideration of the inspector's report, and after having given the association a reasonable time to be heard, and after such inquiry and investigation as he may deem advisable to make, may suspend or cancel the association's license ; and the association shall not thereafter do business in the Province until its license is duly restored by the same authority. Suspension, &c., of license.

**225.** If, within one month from the suspension or cancelling of its license, the association in default has not arranged its affairs so as to enable the inspector, after inquiry, to recommend the renewal of its license, the inspector, if authorized by the Provincial Treasurer, shall apply, by petition to a judge of the Superior Court, for the appointment of a liquidator, who shall proceed with as little delay as possible to liquidate the affairs of the association under the direction of the inspector in the same manner as the liquidator appointed under article 214 is authorized to do under this act. Application for liquidator. Winding up.

**226.** The inspection provided for by this section, shall not be obligatory upon charitable associations ; but, at the request of twelve persons interested in any such association, the inspector may be instructed by the Provincial Treasurer to inspect such association, and the provisions of this section shall thereafter apply to such association. Inspection obligatory on charitable associations. Proviso.

#### SECTION XXIII

#### LIQUIDATION OF INSURANCE COMPANIES OR ASSOCIATIONS INCORPORATED BY AUTHORITY OF THIS PROVINCE

**227. 1.** Where a provincial insurance company or association other than a company or association authorized by the Dominion of Canada, proposes to go into liquidation, at least one month's notice in advance shall be given to the Provincial Treasurer, and like notice shall also be published in Notice of intention to wind up.

two consecutive issues of the *Quebec Official Gazette*, and in English and in French in some other newspapers which the Provincial Treasurer may indicate. The notice shall state the date at which contracts are to cease, the name and address of the liquidator appointed for the company or association, or the intention of the company or association to apply on a stated day for the appointment of a liquidator.

Re-insurance  
of unexpired  
contracts.

2. In the winding up of a mutual or cash-mutual fire insurance company, after notice has been given as required by paragraph 1, the directors shall re-insure out of the reserve or surplus funds the unexpired contracts for which deposit or premium notes have been taken.

With whom  
effected.

3. Such re-insurance shall be effected in some company duly registered to transact business in the Province and approved by the Provincial Treasurer.

Refund  
of unearned  
part of pre-  
mium, &c.

4. When any company is wound up, each person insured on the cash plan shall be entitled to a refund from the company for the unearned proportion of the cash premium given for a risk no longer in force, from the date fixed by the notice mentioned in paragraph 1 of this article and at which the company ceased to do business. This paragraph shall not be interpreted as destroying or defeating any other remedy such person may have against the company or for any other cause.

Security by  
liquidator.

5. Every liquidator appointed under this article, shall give sufficient security for the faithful performance of his duties, and, on application of any creditor or person interested, or of the Provincial Treasurer, a judge of the Superior Court may determine the kind and the amount of such security, if he does not find it sufficient.

Periodical  
statements  
by liquidator.

6. Every liquidator under this article shall (until the affairs of the company or association are wound up and the accounts are finally closed) file at the office of the board of directors and at the office of the Provincial Treasurer, within seven days after the close of each month, a statement showing the receipts and expenditures, and the assets and liabilities of the company or association, and he shall, whenever by the Provincial Treasurer so required to do, exhibit the books and documents of the company or association and furnish all other information respecting its affairs.

Penalties for  
not furnish-  
ing same.

Any liquidator refusing or neglecting to furnish such information, shall, for each offence, be subject to a penalty of not less than one hundred nor more than two hundred dollars, to be recovered on behalf of His Majesty for the use of this Province ; and he shall, in addition, render himself liable to be dismissed or removed.

C.C., art. 371,  
and seq. &c.  
to apply.

**228.** All the provisions of the Civil Code contained in articles 371 and following, and those of the Code of Civil Pro-



cedure relating to abandonment of property not inconsistent with this act, shall apply to voluntary or forced liquidation.

The liquidator carries on all the suits of the company or association in liquidation, and must be a party in all suits and proceedings against the company or association. Liquidator  
sues for com-  
pany, &c.

#### SECTION XXIV

#### DUES AND FEES

**229.** It shall be lawful for the Lieutenant-Governor in Council to make and amend, from time to time, a tariff of the dues and fees he may deem it advisable to establish as payable : Tariff of fees  
by Lieut.-  
Governor in  
Council.

a. On the incorporation of joint-stock insurance companies ;

b. On licenses granted to insurance companies, mutual benefit associations and charitable societies, incorporated by the Province ;

c. On licenses granted insurance companies, mutual benefit associations and charitable societies, not licensed under the Insurance Act of Canada ;

d. On the certificate of registration of insurance companies, mutual benefit associations and charitable societies, deriving their powers from an act of the Dominion of Canada or from an authorization issued under the Insurance Act of Canada ;

e. And generally on all licenses and certificates of registration ordered by this act and all services connected with the carrying out of this act.

**230.** The dues and fees payable under article 229, are payable to the Provincial Treasurer, who shall give a receipt therefor to the person paying the same. To whom  
dues and fees  
payable, &c.

#### SECTION XXV

#### MISCELLANEOUS PROVISIONS

**231.** 1. To secure the proper administration of insurance business in the Province, the Lieutenant-Governor in Council may appoint an officer called " the Superintendent of Insurance ", with such salary as he may deem proper. Superintendent of Insurance.

2. The superintendent shall be an officer of the Treasury Department, and the Lieutenant-Governor in Council may, from time to time, define his powers and duties. Is officer of  
Treasury  
Department.

**232.** Articles 5264 to 5400 of the Revised Statutes, and the acts amending the same, except articles 5348a to 5348i both inclusive, as enacted by the act 63 Victoria, chapter 34, sec- Certain laws  
repealed.

tion 1, and articles 5375*h* to 5375*t* both inclusive with their forms, as enacted by the act 4 Edward VII, chapter 38, section 1, are repealed.

**233.** The acts 59 Victoria, chapter 34 ; 61 Victoria, chapter 39 ; 62 Victoria, chapter 32, and the acts amending the same, are repealed.

**234.** To prevent the inclusion of any articles of this act in a special charter they must expressly be excluded by mentioning the numbers they bear.

**235.** This act may be cited as " The Quebec Insurance Act ".

**236.** This act shall come into force on the day the Lieutenant-Governor in Council may be pleased to fix by proclamation.

## FORMS

### A.—(*Article 65*)

The formation of an association under the name of (*state the name*) for (*state the purposes of the association*), has been authorized by Order in Council, dated the 19

The head office of the association is at (*name of city or town, &c.*)

(*Date*)

*Provincial Treasurer.*

## (B.—Article 86)

## NET PREMIUM FOR ALL LIFE INSURANCE OF \$1,000

Age at entry.	Yearly in advance.	Half-Yearly in advance.	Quarterly in advance.	Monthly in advance.
	\$	\$	\$	\$
18	9.86	5.00	2.51	.84
19	10.20	5.18	2.60	.87
20	10.55	5.36	2.69	.90
21	10.91	5.53	2.78	.93
22	11.28	5.71	2.87	.96
23	11.66	5.89	2.96	.99
24	12.03	6.07	3.05	1.02
25	12.42	6.25	3.14	1.05
26	12.76	6.43	3.23	1.08
27	13.12	6.60	3.32	1.11
28	13.49	6.78	3.41	1.14
29	13.87	7.02	3.53	1.18
30	14.31	7.20	3.62	1.21
31	14.76	7.44	3.74	1.25
32	15.22	7.68	3.86	1.29
33	15.73	7.91	3.98	1.33
34	16.25	8.21	4.13	1.38
35	16.82	8.51	4.28	1.43
36	17.42	8.81	4.43	1.48
37	18.05	9.10	4.57	1.53
38	18.71	9.46	4.75	1.59
39	19.42	9.82	4.93	1.65
40	20.18	10.17	5.11	1.71
41	20.97	10.59	5.32	1.78
42	21.81	11.01	5.53	1.85
43	22.70	11.48	5.77	1.93
44	23.65	11.96	6.01	2.01
45	24.66	12.44	6.25	2.09
46	25.72	12.97	6.52	2.18
47	27.31	13.80	6.94	2.32
48	28.10	14.16	7.12	2.38
49	29.36	14.82	7.45	2.49
50	30.72	15.53	7.80	2.61
51	32.17	16.24	8.16	2.73
52	33.71	17.02	8.55	2.86
53	35.34	17.85	8.97	3.00
54	37.07	18.74	9.42	3.15
55	38.94	19.64	9.87	3.30

## C—(Article 148)

## DETAILS OF YEARLY STATEMENT—LIFE INSURANCE

A list of the stockholders, with the amount subscribed for, the amount paid thereon, and the residence of each stockholder.

*Property or Assets held by the Company, specifying Assets as per Ledger Accounts*

The value (as nearly as may be) of the real estate held by the company ;

The amount secured by way of loan on real estate, whether by mortgages, bonds or any other security, distinguishing between those having first or second privilege on such immoveable property.

The amount of loans secured by bonds or stocks or other collateral ;

The amount of loans, as above, on which interest has not been paid within one year previous to such statement, with a schedule thereof ;

The amount of loans made in cash to policy holders on the company's policies assigned as collateral ;

Premium notes, loans or liens on policies in force, the reserve on each policy being in excess of all indebtedness thereon ;

Par and market values of Canadian and other stocks and securities owned by the company, specifying in detail the amount, number of shares, and the par and market value of each kind ;

Amount of cash at head office ;

Amount of cash in banks, with details ;

Bills receivable ;

Agents' ledger balances :

*Other Assets*

Interest due and accrued ;

Rents due and accrued ;

Due from other companies for losses or claims on policies of the company re-insured ;

Net amount of uncollected and deferred premiums ;

A statement of profit and loss ;

Commuted commissions ;

All other property owned by the company, with details ;

*Liabilities*

Net present value of all outstanding policies in force, with mode of computation or estimation, deducting those reinsured;

Premium obligations in excess of net values of their policies;  
Claims for death, losses and matured endowments, and annuity claims, due and unpaid, or in process of adjustment, or adjusted but not due, or resisted ;

Dividends to stockholders, and dividends of surplus or other profits to policy-holders, due and unpaid ;

Amount due on account of office expenses ;

Amount of loans ;

Amount of all other claims against the company :

#### *Income*

Amount of cash premiums received, less re-insurance ;

Premium notes, loans or liens taken in part payment for premiums ; and premiums paid by dividends, including re-converted additions, and by surrendered policies ;

Cash received for annuities ;

Amount of interest received ;

Amount received for rents ;

Net amount received for profits on bonds, stocks and other property actually sold ;

All other income in detail.

#### *Premium Note Account*

Premium notes, loans or liens on hand at date of last previous statement ;

Additions and deductions in detail during the year ;

Balance, note assets at date.

#### *Expenditure*

Total amount actually paid for losses and matured endowments ;

Cash paid to annuitants and for surrendered policies ;

Premium notes, loans or liens used in purchase of surrendered policies ;

The same voided by lapse ;

Cash surrender values, including re-converted additions applied in payment of premiums ;

Dividends paid to policy-holders, or applied in payment of premiums ;

Premium notes, loans or liens used in payment of dividends to policy-holders ;

Cash paid stockholders for interest or dividends ,

Cash paid for commissions, salaries and other expenses of officials ;

Cash paid for taxes, licenses, fees or fines ;

All other expenditures in detail.

*Statement of Policies*

Number and amount of policies and additions in full at the end of the previous year ;

New policies and changes ;

Policies terminated, and the manner of termination ;

Number and amount of policies in force at date of statement ;  
Re-insurances ;

The claims contested the previous year or years that have not been settled, together with the reasons for contesting them.

---

D.—(*Article 148*)

DETAILS OF ANNUAL STATEMENT—FIRE INSURANCE

A list of the stockholders, with the amount subscribed for, the amount paid thereon, and the residence of each stockholder :

*The property or Assets held by the Company specifying,—*

The value (as nearly as may be) of the real estate held by the company ;

The amount of cash on hand and deposited in banks to the credit of the company—specifying in what banks the same are deposited, with amount separately ;

The amount of cash in the hands of agents ;

The amount of loans secured by bonds and mortgages constituting either a first or second privilege on immoveable property, in separate schedules ;

The amount of loans on which interest has not been paid within one year previous to such statement, with a schedule thereof ;

The amounts due the company for which judgments have been obtained ;

The amount of Canadian securities held by the company, and of any other securities owned by the company, specifying in detail the amount, number of shares, and par and market value of each kind of security owned by the company absolutely ;

The amount of securities, held as collateral security for loans, with the amount loaned on each kind of security, its par and market value ;

The amount of assessments on stock and premium notes, paid and unpaid ;

The amount of interest actually due and unpaid ; also the amount of interest accrued and unpaid ;

The amount of premium notes on hand on which policies are issued, with amount paid thereon ; also bills receivable

held by the company and considered good; the amounts of each class separately, and the amounts on each class overdue;

The amount of all other property belonging to the company, with details thereof :

*The Liabilities of the Company, specifying*

The amount of losses due and yet unpaid ;

Amount of losses adjusted, but not due ;

Amount of losses incurred during the year, including those claimed and not yet adjusted, and of those reported to the company upon which no action has been taken—the amounts of each class separately, carrying out the totals in one sum ;

Amount of claims for losses contested by the company, distinguishing those in suit ;

Amount of dividends declared and due, and remaining unpaid ;

Amount of dividends declared, but not yet due ;

Amount of money borrowed, and security given for payment thereof—stating each loan separately, and the interest paid therefor ;

The amount of unearned fire premiums ;

Amount of all other claims against the company, with a detailed statement thereof ;

Aggregate amount of all unpaid losses, claims and liabilities whatsoever, except capital stock :

*Income of the Company, specifying.*

Amount of cash premiums received, less re-insurance ;

Amount of notes received for premiums, less re-insurance ;

Amount of interest money received ;

Amount of income received from all other sources :

*Expenditure of the Company, specifying.*

Amount paid for losses which occurred prior to the first day of January last, which losses were estimated in the last statement at \$ ;

Amount paid for losses which occurred during the year :

Amount and rate of dividends paid during the year :

Amount of expenses paid during the year, including commissions and fees to agents and officers of the company ;

Amount of all other payments and expenditure, with details thereof :

*Miscellaneous*

Gross amount of risks taken during the year, original and renewal,—deducting amount of re-insurance effected thereon ;

And amount of risks in force at end of the year, deducting re-insurance ; and showing at foot the net amount of risks then in force.

The claims contested the previous year or years that have not been settled, together with the reasons for contesting them.

---

E—(Article 148)

FORM OF DECLARATION TO ACCOMPANY THE STATEMENT

Province of Quebec, }  
 District of . }

President and

Secretary of

Company being duly sworn, depose and say, and each for himself says, that they are the above described officers of the said company, and that, on the                      day of                      last, all the above described assets were the absolute property of the said company, free and clear from any liens or claims thereon, except as above stated, and that the foregoing statement, with the schedules and explanations hereunto annexed and by them subscribed, are a full and correct exhibit of all the liabilities, and of the income and expenditure, and of the general condition and affairs of the said company, on the said                      day of                      last, and for the year ending on that day, according to the best of their information, knowledge and belief, respectively.

(Signatures)

Subscribed and sworn to before me, at                      , this  
 day of                      19                      .

---

F—(Article 149)

DETAILS OF ANNUAL STATEMENT OF MUTUAL INSURANCE  
 COMPANIES

*Assets*

*First*—The assets of the company, specifying :

- a. The value of real estate ;
- b. The amount of cash on hand and deposited in banks to



the credit of the company, naming the banks and amount in each ;

c. The amount of cash in the company's office and in agents' hands, respectively ;

d. The amount of any loans or investments, and the nature of the security held therefor, in detail, and what, if any, payments are in arrear thereon ;

e. The amount of unpaid assessments on deposit notes or undertakings, shewing what proportion is more than two years overdue and what portion of the said amount the persons signing the statement consider good ;

f. The amount still payable upon deposit notes, or undertakings on hand, on the thirty-first day of December preceding and not then assessed for ;

g. Other amounts due the company.

### *Liabilities*

*Secondly*—The liabilities of the company, specifying :

a. The amount of losses due and yet unpaid ;

b. The amount of claims for losses resisted ;

c. The amount of losses incurred during the year, including those claimed but not adjusted ;

d. The amount payable for money borrowed, and security given and interest payable ;

e. The amount of all other existing claims against the company ;

f. The amount covered by policies in force ;

g. The unexpired risks under the fixed premium system.

### *Income*

*Thirdly*—The income of the company for the preceding year, specifying :

a The amount of cash received on deposit notes in respect :

1. Of assessments payable in that year, and

2. Of assessments payable in previous years ;

b. The amount of deposit notes or undertakings ;

c. The amount of interest received ;

d. The amount of income from all other sources, and also the amount of cash premiums received for insurances effected in that year ;

e. The total number of policies in force and their value,

as well as the number issued during the preceding year and their value ;

f. The number of policies in force in cities and towns, and their value.

### *Expenditure*

*Fourthly*—The expenditure during the preceding year, specifying :

a. The amount of losses paid during the year, stating how much of the same accrued prior and how much subsequent to the date of the preceding statement, and the amount at which such prior accrued losses were estimated in such preceding statement ;

b. The amount of expenses paid during the year ;

c. The amount of taxes ;

d. The amount paid for re-insurance ;

e. The commission paid by the company to agents or other persons during the year :

f. The amount of all other payments and expenditure under their appropriate heads.

### *Sundries*

The list of claims contested during the year and of unsettled claims from previous years, with the reasons for contesting them.

The amount of insurances effected in cities and towns under article 172.

In the case of companies on the fixed premium system, the statement must also show that the companies, have, in organizing, complied with the requirements of article 23 of this act and whether the company's business has been divided according to law.

If the company has established a capital under Section V of this act, and if it does business under the cash premium system it must also produce the details set forth in Form D.

### G.—(Article 150)

#### ANNUAL STATEMENT—MUTUAL BENEFIT, CHARITABLE AND BENEVOLENT ASSOCIATIONS

1. The number of members then existing ;
2. The number and designation of each class of members ;
3. The number contained in each class ;
4. The number who have become members during such year ;

5. The number in each class whose membership has terminated from any cause, and the cause thereof ;
6. The total receipts in each class ;
7. The sources of such receipts ;
8. The total expenditure in each class and the object thereof.

**H.—(Article 179)**

**APPLICATION.**

No.

Application for insurance against fire by A. B., of \_\_\_\_\_  
with the Mutual Fire Insurance Company  
of \_\_\_\_\_, for the sum of \_\_\_\_\_ dollars,  
subject to the by-laws of the said Company, viz :  
On a house \_\_\_\_\_ amount \_\_\_\_\_ rate \_\_\_\_\_  
value, \_\_\_\_\_ (the ground excluded)

## REMARKS.

**Shed.**

**Stable.**

**Coach-house.**

**Furniture, clothes and linen, &c.**

Cattle, carriages, &c.

**Amount insured.**

### Deposit note.

**Entrance premium.**

### Designation, occupation and situation of buildings.

**Name of the true proprietor or proprietors.**

I.—(*Article 179*)

**DEPOSIT NOTE**

3

19

On demand, for value received, by Policy No. \_\_\_\_\_  
dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, issued by the  
Mutual Fire Insurance Company of \_\_\_\_\_, I  
promise to pay to the order of the said Company, at its office  
in \_\_\_\_\_, the sum of \_\_\_\_\_ dollars, according to  
the assessments fixed for the losses and expenses of the said  
Company.

J.--(*Article 179*)

**RECEIPT**

Office of the Mutual Fire Insurance Company of

No

Amount insured \$

**Deposit note      \$**

Entrance premium \$

These presents certify that A. B. has delivered this day to the Company his note for the sum of \$ \_\_\_\_\_ bearing No. \_\_\_\_\_ and that he has paid the sum of \$ \_\_\_\_\_ as entrance premium on the insurance effected with the Company to the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ years to be counted from the date hereof, upon a property described in his application dated this day and which is to be completed by a Policy.

19

**Secretary.**

## CHAP. 70

An Act to amend the Revised Statutes respecting Fish and  
Game Protection Clubs

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**R.S.Q., 5493,  
amended.**

**1. Article 5493 of the Revised Statutes, as amended by the act 6 Edward VII, chapter 36, section 1, is further amended by adding after the word : " on ", in the third line, the words : " from time to time by the Lieutenant-Governor in Council."**

**Coming into  
force.**

**2. This act shall come into force on the day of its sanction.**

## CHAP. 71

**An Act to amend the Revised Statutes with respect to certain  
appeals to the Circuit Court**

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**R. S. Q.,  
5565-5579,  
replaced.  
Judgments**

**1. Articles 5565 to 5579, both inclusive, of the Revised Statutes, are replaced by the following :**

" **5565.** No judgment rendered in virtue of this section

shall be executory until after fifteen days from the date <sup>when ex-</sup> ~~thereof.~~ <sup>ecutory.</sup>

" **5566.** An appeal lies from any such judgment, rendered <sup>Appeal to</sup> by one or more justices of the peace, to the Circuit Court of <sup>Circuit Court.</sup> the district, or to that of the county, in which the judgment was rendered, provided, in the latter case, that the place where the court is held is the place nearest the defendant's residence where a court is held.

" **5567.** The appeal is brought by an inscription filed in <sup>Inscription</sup> the office of the court before which the appeal is taken, within <sup>in appeal,</sup> the fifteen days aforesaid. <sup>&c.</sup>

The inscription must contain a description of the parties <sup>Its contents.</sup> and of the justice or justices of the peace by whom the judgment was rendered, the date of such judgment, the date, hour and place where the security hereinafter mentioned will be given, and the description of the surety.

After the said inscription has been filed, and within the said <sup>Service</sup> fifteen days, the inscription must be served upon the com- <sup>thereof.</sup> plainant and upon the justice or one of the justices by whom the judgment was given, or upon the clerk of such justice or justices.

" **5568.** At the time mentioned in the inscription, which <sup>Giving of</sup> must be within five days after the filing of the inscription, or <sup>security.</sup> within such further delay as a judge of the appellate court may order, the appellant shall give security before the clerk of such court that he will effectively prosecute the appeal and satisfy the judgment and pay the damages and costs if the appeal is not prosecuted or the judgment appealed from is confirmed. The surety shall justify to his sufficiency to at least the sum of one hundred dollars, and the bond shall be in accordance with form A of this section.

" **5569.** If security is not given within the prescribed <sup>Dismissal of</sup> delays, the respondent may obtain from the clerk a certi- <sup>appeal for</sup> ficate of default, and the inscription in appeal is thereupon <sup>want of</sup> held to be abandoned and of no effect, saving any recourse <sup>security for</sup> which may appertain to the appealing party. <sup>costs.</sup>

The costs incurred upon the proceeding so abandoned shall <sup>Costs.</sup> be taxed by the clerk.

" **5570.** The justice or justices by whom the judgment was <sup>Transmission</sup> rendered, and his or their clerk, shall, between the tenth and <sup>of record by</sup> the fifteenth days after the service of the inscription as afore- <sup>justices</sup> said, unless in the meantime the certificate mentioned in article 5569 is served upon one of them, forthwith transmit the record in the case to the clerk of the court seized of the appeal, with

**Certificate.** a certificate signed by at least one of said justices or his or their clerk that the documents so transmitted are all the documents relating to the cause.

**Appearance.** “ **5571.** Within the two days next following the fifteenth day mentioned in article 5570, each party shall file an appearance in the office of the said Circuit Court.

**Proceedings if the appellant does not appear.** “ **5572.** If the appellant does not file such appearance within said time, the appeal shall be deemed to have been abandoned, and the court, upon application of the respondent (even if the latter have not appeared within said delay) shall so declare, and shall allow costs to the respondent, and shall order the record to be transmitted to one of the justices or to the clerk by whom the same was transmitted.

**Or the respondent.** “ **5573.** If the appellant appears within the said two days, but the respondent does not so appear, he appellant may proceed *ex parte*.

**Appearance by leave of Court.** “ **5574.** The court however may, in its discretion, at any time before judgment is rendered, permit the appearance of either party in default to appear as aforesaid, upon such terms as to costs or otherwise as the court may fix.

**Inscription, trial, &c.** “ **5575.** So soon as an appearance has been filed by both parties, or by the appellant, as the case may be, the cause may be forthwith inscribed for proof and hearing with the same delays and notice as are required upon inscriptions in the Circuit Court, and shall be tried, heard and decided summarily.

**Judgment, and transmission of record.** “ **5576.** The Circuit Court shall adjudge the costs on such appeal; and, if the judgment appealed from be fully confirmed, it shall order that the record be remitted to the justice or justices of the peace or court who shall have pronounced the judgment or conviction.

**Record how transmitted, &c., Costs, &c.** Such transmission shall be effected by the clerk of the Circuit Court, who shall annex to the record a copy of the judgment of the said court, and a certificate of the costs allowed on the said appeal; and the said costs shall be levied by the same means, and in the same manner, in which the judgment of the justice or justices of the peace, or of the court below, is carried into effect according to law.

**If judgment not confirmed, record remains with Circuit Court.** “ **5577.** If the said judgment be modified or set aside, in whole or in part, the record and proceedings on the judgment appealed from, and any proceedings upon the appeal, shall remain to form part of the records of the Circuit Court, by

which and under the authority of which, whatever shall have been adjudged, ordered, confirmed modified or amended by the judgment of the said court shall be carried into effect, and that by the same means and in the same manner as the judgment appealed from might itself have been carried into effect.

" **5778.** The execution of the judgment against the party condemned shall not deprive the party who shall have succeeded, of his recourse against the sureties for the whole or any part of the costs of the appeal remaining unpaid, to the payment of which every surety shall be bound, under the penalty of seizure and execution, in the same manner and to the same degree as the principal parties.

" **5579.** No judgment rendered in virtue of this section shall be contested or set aside by writ of *certiorari*.

## FORM

### A.—(Article 5568)

#### *Surety Bond in Appeal*

Canada	}	IN THE CIRCUIT COURT.
Province of Quebec		
District of (or )		
County of		

Whereas in a cause (or matter) between A. B., plaintiff or complainant, and C. D., defendant, judgment was rendered on or about the            day of            , at            , in the district of            (or county of            ), by            , and the said C. D., (or A. B.,) desires to appeal from the said judgment.

Be it known, that on this            day of            , in the year            , appeared before me, C. E., Clerk of the said Circuit Court, at in the said district of            , or county of            H. P., (*quality and residence*), who after having justified his sufficiency on oath as required by law, became surety that the said appellant would effectively prosecute the said appeal and satisfy the judgment, and also pay the damages and costs in case the said appeal is not proceeded with, or in case the said judgment is confirmed ; failing all which, the said surety binds himself towards the proper parties to pay and discharge whatever amount may be required by law.

And the above having been read to him, the said surety has signed (or *declared that he is unable to sign.*)

Taken, acknowledged and sworn before }  
me, the said clerk, at the said }  
on the day and year secondly above }  
mentioned. }

C. E.

*Clerk of the Circuit Court."*

Art. 5579,  
form 2, re-  
pealed. ~~by the~~  
~~act of 1907~~  
Coming into  
force.

**2.** Forms numbers 1 and 2, following article 5579 of the Revised Statutes, are repealed.

**3.** This act shall come into force on the day of its sanction.

## CHAP. 72

An Act to supply the loss of certain registers of acts of civil status of the parish of Ste. Marie de Monnoir, in the county of Rouville.

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS, on or about the 27th March 1907, the duplicates containing the original registers of the baptisms, marriages and burials of the parish of Ste. Marie de Monnoir, in the county of Rouville, whereof one contained the acts of baptisms, marriages and burials of such parish, from the first day of January 1907, have been burned, which may be the occasion of serious injury to divers families and individuals; and whereas it is expedient to remedy the disappearance of such registers;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Prothonotary  
of S. C., St.  
Hyacinthe  
to make  
transcripts in  
book of cer-  
tain entries.

**1.** It shall be the duty of the prothonotary of the Superior Court, at St. Hyacinthe, to cause a faithful transcript to be made in a book authenticated, in accordance with article 1311 of the Code of Civil Procedure, of all entries of baptisms, marriages and burials, the registers whereof were destroyed in the fire of the 27th day of March, 1907.

Certification

**2.** Such officer shall, under his own hand, certify each of such



entries, as being a true and faithful copy of the corresponding of such entry of the duplicate in his possession, and afterwards shall tries, &c. forward such book to the *curé* of the parish of Ste. Marie de Monnoir, to form part of the archives of such parish.

3. Such book or books shall be marked by the prothonotary Book how as follows : " New duplicate of the registers of baptisms, mar- marked, &c. riages and burials, etc., (*as the case may be*), of the parish of Ste. Marie de Monnoir, for the years made in conformity with the law."

4. The *curé* now in office of the parish of Ste. Marie de Certain persons Monnoir, and his vicars, and all such persons as may replace them in the office of *curé* or vicar, shall, during the whole period for the execution of the provisions following, be appointed commissioners entrusted with the task of ascertaining all the commission-ers to ascertain certain baptisms, marriages and burials which have taken place in baptisms, &c. such parish from the first day of January, 1907, to the 29th day of March, 1907, and of making entries in the new authenticated duplicates, in conformity with article 1311 of the Code of Civil Procedure.

Each of such persons may act alone for the purposes of Commission-er may act alone. this act.

5. One of such commissioners, in a public written notice, Notice by all persons interested, or who may be in a position to supply the loss of the original registers, to appear at the time and place specified in such notice, and to bring with them and produce any extract or certificate of baptisms, marriages or burials, made during the period mentioned in section four, and all family records or memoranda which they may possess of such baptisms, marriages or burial, or to give testimony under oath, in respect of all information which they themselves possess, or which may be obtained from them. commission-er.

Each commissioner is authorized to administer the oath Oath administered by commissioner. required, to all persons who may be so interrogated.

6. On proof made under oath by one or more witnesses, or Entries in on any other evidence, establishing that a baptism, marriage certain registers, &c. or burial has taken place in such parish, during the period hereinabove mentioned, the commissioner shall make an entry thereof in two registers, and each duplicate inscription shall be signed by the commissioner and by the witnesses interrogated under the oath. If the latter cannot sign, mention thereof shall be made.

Mention shall also be made of any extract or other proof in Mention of writing produced by the witnesses. certain extracts, &c.

Marking of registers by commissioners.

**7.** The commissioners, after having completed their registers, shall mark each of them, as follows : " New duplicate of the registers of baptisms, marriages and burials of the parish of Ste. Marie de Monnoir, from the first day of January, 1907, to the 29th day of March, 1907 made according to law."

Filing of duplicate register, &c.

**8.** One of such duplicates shall be lodged in the office of the prothonotary of the district, and the other shall remain among the archives of the parish of Ste. Marie de Monnoir.

Each duplicate authentic, &c.

**9.** Each of the duplicates or registers specified in sections 3 and 7 of this act, shall be authentic, and shall have, for all purposes whatsoever, the same force and effect as if it had been made at the time, and in the form required by law.

Other proof of baptisms, &c., not affected.

**10.** Nothing in this act contained shall prevent the proof in any manner permitted by law, of any baptism, marriage, or burial, which occurred during the period hereinabove mentioned, and which could not be proved and entered under the authority of this act.

Coming into force.

**11.** This act shall come into force on the day of its sanction.

## CHAP. 73

An Act to provide a remedy for the loss of certain acts of civil status in the parish of St. Jean L'Evangéliste de Thurso

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS in the month of March, 1894, a fire destroyed one of the duplicate registers of civil status, containing the acts of baptism, marriage and burial of the parish of St. Jean L'Evangéliste of Thurso, for the years 1882 to 1893, both inclusive ;

Whereas, at the time of the fire which destroyed the court house at Hull on the 26th day of April, 1900, the other duplicate of the registers of civil status containing the said acts of baptism, marriage and burial for the said years was also destroyed ; and whereas it is in the public interest to provide a remedy for the loss of such registers ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Curé appointed commissioner.

**1.** The *curé* now in office of the parish of St. Jean L'Evangéliste de Thurso, and every person who may replace him in

the office of *curé*, shall, during the whole period for the execution of the provisions following, be a commissioner entrusted with the task of ascertaining all the baptisms, marriages and burials which have taken place in such parish from the first day of January, 1882, to the 31st day of December, 1893, and of making entries in the new duplicates authenticated in conformity with article 1311 of the Code of Civil Procedure.

**2.** The commissioner, in a public written notice, shall cause Notice<sup>re-</sup> the object of this act to be known, and shall invite all persons quired. interested, or who may be in a position to supply the loss of the original registers, to appear at the time and place specified in such notice, and to bring with them and produce any extract or certificate of baptisms, marriages or burials, made during the period mentioned in section 1 of this act, and all family records or memoranda which they may possess of such baptisms, marriages or burials, or to give testimony under oath, in respect of all information which they themselves possess, or which may be required from them.

The commissioner is authorized to administer the oath Oath. required, to all persons who may be so interrogated.

**3.** On proof made under oath by one or more witnesses, or Entry of on any other evidence, establishing that a baptism, marriage acts. or burial has taken place in such parish, during the period hereinabove mentioned, the commissioner shall make an entry thereof in two registers, and each duplicate inscription shall be signed by the commissioner and by the witnesses interrogated under oath. If the latter cannot sign, mention thereof shall be made.

Mention shall also be made of any extract or other proof in Mention<sup>re-</sup> writing produced by the witnesses. quired.

**4.** The commissioner, after having completed his registers, Description shall mark each of them, as follows : " New duplicate of the of books. registers of baptisms, marriages and burials of the parish of St. Jean L'Évangéliste de Thurso, for the years 1882 to 1893, both inclusive, made in conformity with the law."

**5.** One of such duplicates shall be lodged in the office of the Deposit of prothonotary of the district, and the other shall remain among duplicates. the archives of the parish of St. Jean L'Évangéliste de Thurso.

**6.** Each of the duplicates or registers specified in section 4 Duplicates, of this act, shall be authentic, and shall have, for all purposes authentic, &c. whatsoever, the same force and effect, as if it had been made at the time, and in the form required by law.

**7.** Nothing in this act contained shall prevent the proof, Other evi-

dence permitted.

in any manner permitted by law, of any baptism, marriage or burial, which occurred during the period hereinabove mentioned, and which could not be proved and entered under the authority of this act.

## CHAP. 74

An Act to amend the Code of Civil Procedure respecting the jurisdiction of the Court of King's Bench (Appeal Side) and of the Court of Review

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

C. C. P., art. 43, replaced.

1. Article 43 of the Code of Civil Procedure is replaced by the following :

Appeals to Court of King's Bench.

" 43. Unless where otherwise provided by statute, an appeal lies to the Court of King's Bench, sitting in appeal, from any final judgment rendered by the Superior Court, except :

1. In matters of *certiorari* ;
2. In matters concerning municipal corporations or offices, as provided in article 1006 ;
3. In matters in which the sum claimed or value of the thing demanded is less than five hundred dollars ;

4. At the suit of the party who has inscribed in Review a cause in which the sum demanded or the value of the thing claimed amounts to or exceeds five hundred dollars, and who has proceeded to judgment on such inscription, when the judgment confirms that rendered in the first instance."

Id., art. 44, replaced.  
Appeals to Court of King's Bench in certain other cases.

2. Article 44 of the said Code is replaced by the following :

" 44. 1. An appeal also lies to the Court of King's Bench, sitting in appeal, from final judgments of the Superior Court and Circuit Court in the following cases :

- a. When the demand, being for less than two hundred dollars in Circuit Court cases, and less than five hundred dollars in Superior Court cases, relates to fees of office, duties, rents, revenues or sums of money payable to His Majesty ;
- b. When the demand, being for less than two hundred dollars in Circuit Court cases, and less than five hundred dollars in Superior Court cases, relates to titles to lands or tenements,

annual rents or other matters in which the rights in future of the parties may be affected ;

c. In all actions in recognition of hypothecs.

2. Nevertheless, in the cases mentioned in this article, there <sup>Exceptions.</sup> is no appeal to the Court of King's Bench ;

a. In Circuit Court causes in which judgment has been rendered by the Court of Review ;

b. In Superior Court causes, at the instance of any party who has inscribed in Review and has proceeded to judgment on such inscription, when such judgment confirms that rendered in the first instance."

3. Article 52 of the said Code is replaced by the following : <sup>Id., art. 52,</sup>

" 52. An appeal lies to the Court of Review :

<sup>replaced.  
Court of  
Review.</sup>

1. From every final judgment of the Superior Court or of the Circuit Court, susceptible of appeal to the Court of King's Bench ;

2. From any final judgment of the Superior Court in suits in which the sum claimed or value of the thing demanded is less than five hundred dollars ;

3. From any final judgment of the Circuit Court in suits in which the sum claimed or the value of the thing demanded amounts to or exceeds one hundred dollars; except in suits for the recovery of assessments for schools or school-houses, or for monthly contributions for schools, and in suits for the building or repairing of churches, parsonages and church-yards ;

4. From every judgment rendered or order given by a judge in non-contentions matters, in virtue of the provisions contained in the tenth part of this code ;

5. From any judgment rendered on any motion or petition to set aside or quash an attachment before judgment or a *capias ad respondendum*.

6. From any judgment in matters concerning municipal corporations and municipal offices on proceedings taken in virtue of Chapter XL of this Code."

4. The following article is inserted in the said Code after <sup>Id., art.</sup> article 52 :

<sup>added after  
art. 52.</sup>

" 52a. 1. An appeal also lies to the Court of Review from inter- <sup>Appeals to</sup> locutory judgments in matters enumerated in paragraph 1 of <sup>Court of</sup> article 44 and in paragraphs 2 and 3 of article 52, and suscep- <sup>Review from</sup> tible of appeal to the Court of Review, in the following cases: <sup>interlocutory</sup> judgments.

a. When they in part decide the suit ;

b. When they order the doing of anything which cannot be remedied by the final judgment ;

c. When they unnecessarily delay the trial of the suit.

Provisions  
applicable.

2. The provisions of paragraph 2. of article 44, apply to all judgments rendered upon appeals taken under this article.

Id., art. 1202  
amended.

5. Article 1202 of the said Code is amended by replacing the figure: "4", in the first line of the third paragraph, by the figure: "6".

Id., art.  
added after  
art. 1202.  
Inscription  
in Review  
of inter-  
locutory  
judgment.

6. The following articles are inserted in the said Code after article 1202 :

" 1202a. The inscription in Review of an interlocutory judgment in the cases to which article 52a applies, cannot be made except upon permission granted by one of the judges of the Superior Court, in the district of Quebec or Montreal, as the case may be, upon summary petition, accompanied with copies of such portion of the record as may be necessary to decide whether the judgment in question is susceptible of appeal, and falls within one of the cases specified in article 52a; but the judge before whom such application is made may, if he deems it advisable, refer it to the Court of Review then sitting, if the application be made during term, or may continue it to the first day of the next term, if it is made out of term.

When appli-  
cation to be  
made.

The application must be made within the fifteen days next after such rendering of the judgment, and cannot be received afterwards.

Service of  
petition for  
appeal, &c.

" 1202b. The petition must be served upon the opposite party, and, if required, is followed by a rule calling upon such opposite party to give his reasons against the granting of the appeal; and the service of such rule upon him has the effect of suspending all proceedings before the court which rendered the judgment appealed from.

When delay  
to inscribe,  
&c., begins.

The delay of eight days prescribed by article 1196, for the inscription and the deposit, begins to run from the date of the judgment granting such petition.

Hearing  
&c. of  
interlocutory  
appeals.

" 1202c. Appeals from interlocutory judgments must be entered by the clerk and heard by privilege, in a summary manner."

Pending  
cases not  
affected.

7. The jurisdiction of the Court of King's Bench and of the Court of Review shall not be affected by the provisions of this act, in so far as the cases now inscribed and pending before either of these courts or in which the final judgment shall have been rendered at the time of the coming into force of this act, if the delay for taking the appeal to the court of King's Bench has not then expired, are concerned; and such jurisdiction

shall continue to be governed respecting these cases, by the provisions which are amended or repealed by this act.

8. This act shall come into force on the 1st day of June 1908. Coming into force.
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## CHAP. 75

An Act to amend the Code of Civil Procedure respecting Appeals to His Majesty in His Privy Council

*[Assented to 25th April, 1908]*

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Paragraph 3 of article 68 of the Code of Civil Procedure, Code of Civil Procedure, art. 68, par. 3, replaced. is replaced by the following :

“ 3. In every other case where the amount or value of the thing demanded exceeds five thousand dollars.”

2. This act shall come into force on the day of its sanction. Coming into force.
- 

## CHAP. 76

An Act to amend article 286 of the Code of Civil Procedure respecting the examination of parties on discovery

*[Assented to 25th April, 1908]*

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 286 of the Code of Civil Procedure is amended C. C. P. art. 286, amended. by striking out the words: “ at any time before trial but ” in the first line.

2. This act shall come into force on the day of its sanction. Coming into force.
-

## CHAP. 77

An Act to amend the Code of Civil Procedure respecting trial by jury

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

C. C. P., art. 422, amended. **1.** Article 422 of the Code of Civil Procedure is amended, by replacing the words: "four hundred," in the second line, by words: "one thousand":

C. C. P., art. 436, re-placed. **2.** Article 436 of said Code is replaced by the following :

Exclusively English or French jury in certain cases. **" 436.** 1. When the language of all the parties is the French language or the English language, or when one of the parties speaks the French language or the English language, and the mother tongue of the other is neither French nor English, the judge, on the demand of one of the parties, may order that the jury be composed wholly of persons speaking the French language or the English language, according as the language of all or of one of the parties is French or English.

Mixed jury in certain cases. 2. If one of the parties speaks the French and the other the English language, and one of them demands a jury *de mediatate linguæ*, or if such demand is made by a corporation party to the suit, the judge shall cause the jury to be composed, one-half of persons speaking the French language, and one-half of persons speaking the English language."

C. C. P., art. 473, re-placed. **3.** Article 473 of the said Code is replaced by the following:

Filing of judge's charge. Charge taken in short-hand. **" 473.** Upon the demand of one of the parties, the judge shall cause the whole of his charge to be filed of record. Such charge shall be taken down in short-hand, unless the parties agree otherwise, and, when signed by the judge, shall form part of the record."

Coming into force. **4.** This act shall come into force on the day of its sanction.



## CHAP. 78

An Act to amend the Code of Civil Procedure respecting the annulling of letters patent

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 1008 of the Code of Civil Procedure is amended C. C. P., art. 1008, amended.  
by adding thereto the following paragraph :  
“ They may also be made in the name and upon the suit of any other person interested.”

2. Article 1009 of the said Code is amended by adding Id., art. 1009 amended.  
thereto the following paragraph :  
“ When the writ is demanded by any person other than His Majesty’s Attorney-General or Solicitor-General, or some other officer duly authorized for such purpose, it cannot be issued, unless the *fiat* or *præcipe* is accompanied by a written authorization of the Attorney General.” Issue of writ in certain cases.

3. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 79

An Act to amend the Code of Civil Procedure and the Revised Statutes respecting the Commissioners’ Court

[Assented to 14th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The Appendix of the Code of Civil Procedure is amended Appendix C. C. P., amended.  
by inserting the following schedules after schedule CC :

## “SCHEDULE CC 1

## FORM OF SUMMONS IN COMMISSIONERS’ COURT

(Article 1265)

Province of Quebec, }  
District of . }

In the Commissioners’ Court for the town, (parish, township, or extra-parochial place, as the case may be) of

To A. B. of (A. B's residence and profession trade or calling),

Greeting :

You are hereby commanded to pay to C. D. of (C. D.'s residence and profession trade or calling), the sum of dollars, which he demands of you as being due to him for (state briefly the cause of action,) and remaining unpaid, with his costs ; or to appear before this court, at the house of in the said town, (or as the case may be,) of at o'clock in the noon, of the day of next, (or instant,) to answer the demand of the said C. D.; otherwise judgment may be given against you by default.

Given under my hand and seal, at , this day of 19

[L. S.]

E. F.,  
Commissioner.

## SCHEDULE CC 2

### FORM OF A WARRANT OF ATTACHMENT FOR RENT IN COMMISSIONERS' COURT

(Article 1258)

Province of Quebec, {  
District of }

In the Commissioners' Court for the town (parish, township or extra-parochial place, as the case may be,) of .

To any bailiff of the said district of

Greeting :

At the instance of A. B., of (A. B's residence and profession, trade or calling,) you are hereby commanded to attach by *saisie-gagerie* all the goods and chattels belonging to C. D. of (C. D's residence and profession, trade or calling,) and being in the house by him occupied (or the produce and effects in the barns and other buildings occupied by the said C. D.) for the surety and payment of the sum of due by the said C. D. to the said A. B. for the rent of the said premises, held by him of the said A. B.

And you are further commanded to summon the said C. D. to appear before this court, at the house of , in the said town (or, as the case may be) of at of the clock in the noon, on the day of instant, (or next,) to answer the demand of the said A. B., and to show cause why the said *saisie-gagerie* should not be declared good

and valid ; notifying the said C. D. that if he fail so to appear, either in person or by his attorney, judgment may be given against him by default ;—and have you then and there this warrant with your doings thereon.

Given under my hand and seal, at , this  
day of , 19 .

[L. S.]

E. F.,  
Commissioner.

### SCHEDULE CC 3

#### FORM OF A WARRANT OF ATTACHMENT IN REVENDICATION IN COMMISSIONERS' COURT

(Article 1258)

Province of Quebec, {  
District of {

In the Commissioners' Court for the town (parish, township  
or extra-parochial place, *as the case may be*) of .

To any bailiff of the said district of

Greeting :

At the instance of A. B., of (*A. B's residence and profession, trade or calling,*) you are hereby commanded to seize a certain cart painted red (*or, as the case may be*) to be further described and pointed out to you by the said A. B., and which he claims to be his property, unjustly detained from him by C. D., of (*C. D's residence and profession, trade or calling,*) and safely to keep the said cart (*or, as the case may be*), so as to have the same forthcoming to abide the judgment to be given in the case.

And you are further commanded to summon the said C. D. to appear before this court, at the house of  
in the said town (*or, as the case may be*) o at  
o'clock in the noon, on the  
day of instant, (*or next,*) to answer the demand of the  
said A. B., and to show cause why the said seizure should not  
be declared good and valid, and the said cart (*or, as the case  
may be*) to be the property of the said A. B. ; notifying the  
said C. D., that if he fail so to appear, either in person or by  
his attorney, judgment may be given against him by default ;

and have you there and then this warrant, and your doings thereon.

Given under my hand and seal. at \_\_\_\_\_, this  
day of \_\_\_\_\_, 19\_\_\_\_.

E. F.,  
Commissioner.

[L. S.]

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### SCHEDULE CC 4

#### FORM OF A WARRANT OF ATTACHMENT BEFORE JUDGMENT IN COMMISSIONERS' COURT

(Article 1258)

Province of Quebec, {  
District of \_\_\_\_\_ . {

In the Comm ssioners' Court for the town (parish, township,  
or extra-parochial place, *as the case may be*).

To any bailiff of the said district of \_\_\_\_\_

GREETING:

At the instance of A. B., of (*A. B's residence and profession, trade or calling*) you are hereby commanded to summon C. D. of (*C. D.'s residence, and profession, trade or calling*), and F. G., of (*F. G.'s residence and profession, trade or calling*) to appear before this court, at the house of \_\_\_\_\_, in the said town (*or as the case may be*) on the \_\_\_\_\_ day of \_\_\_\_\_ next (*or instant*) at \_\_\_\_\_ o'clock in the noon, for the said F. G. to declare upon oath, the sums of money, moveable effects or things that he owes or has in his possession belonging to the said C. D., or that he may owe or have belonging to him hereafter in his possession; strictly prohibiting the said F. G. to dispossess himself of the said moneys, moveable effects or other things, until the court shall have ordered upon the said attachment as of right; and for the said C. D. to pay to the said A. B. the sum of \_\_\_\_\_ which the said A. B. demands as being due to him for (*state briefly the cause of action*) with his costs of action, or to appear before this court at the place day and hour aforesaid to answer to the demand of the said A. B.; and for the said C. D. and F. G. to set forth the reasons, if any they have, why the said attachment should not be declared good and valid. And, in default by them to appear, and by the said F. G. to

make the required declaration, judgment may be obtained against them by default, and the attachment declared valid ; and have you then and there this warrant with your doings thereon.

Given under my hand and seal, at \_\_\_\_\_, this  
day of \_\_\_\_\_, 19 \_\_\_\_.

[L. S.] E. F.,  
Commissioner.

SCHEDULE CC 5

FORM OF SUBPOENA IN COMMISSIONERS' COURT

(Article 1279)

Province of Quebec, {  
District of \_\_\_\_\_.

In the Commissioners' Court for the town (parish, township or extra-parochial place, as the case may be) of \_\_\_\_\_

To \_\_\_\_\_

Greeting :

You are hereby commanded, that laying aside all business and excuses, you (and each of you) be and appear in your proper person before this court, at the house of \_\_\_\_\_ in the said town (or as the case may be,) of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock in the noon, then and there to-testify whatever you or either of you may know in a cause between \_\_\_\_\_, Plaintiff, and \_\_\_\_\_, Defendant, pending before the court. (*If the witness be required to bring with him any paper or thing, mention it.*) And this you or either of you shall by no means omit, under the penalties of the law.

Given under my hand and seal, at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 19 \_\_\_\_.

[L. S.] E. F.,  
Commissioner.

## SCHEDULE CC 6

## FORM OF A WARRANT OF EXECUTION IN COMMISSIONERS' COURT

(Article 1281)

Province of Quebec, }  
 District of . }

In the Commissioners' Court for the town (parish, township  
 or extra-parochial place, *as the case may be*), of

To any bailiff of the Superior Court of the said district of ,

Greeting :

Whereas A. B., of (*A. B.'s residence and profession, trade  
 or calling*) did on the day of  
 before this court, recover judgment against C. D. of, (*C. D.'s  
 residence, and profession, trade or calling,*) for the sum of  
 for his debt, and

for his costs ; of which execution remains to be done ; you are  
 therefore hereby commanded to levy, of the goods and chattels  
 and effects of the said C. D.—except (*mention here the articles  
 and animals exempted from seizure by the Code of Civil Proce-  
 dure*) to be selected by him out of any larger number he may  
 have—(*if the seizure be in satisfaction of a debt contracted for  
 any article or animal otherwise exempt, it shall be seizable, and  
 must be mentioned as being seizable and excepted in the exemption  
 from seizure,*) the aforesaid sum and costs, together with

for the costs of this execution, returning  
 to the said C. D. the overplus, if any there be, after having  
 satisfied the aforesaid sums ; and you are further commanded  
 to make return of this warrant, with your doings thereon,  
 before this court, at the house of , in the said  
 town (*or as the case may be*) of or on before the  
 day of next (or instant.)

Given under my hand and seal, at , this  
 day of , 19 .

[L. S.]

E. F.,  
 Commissioner.

## " SCHEDULE C C 7

FORM OF WARRANT OF SEIZURE BY GARNISHMENT AFTER JUDG-  
MENT IN COMMISSIONERS' COURT

(Article 1258)

Province of Quebec, {  
District of {

In the Commissioners' Court for the town (parish, township  
or extra-parochial place *as the case may be*,) of

To any bailiff of the said district of

Greeting :

At the instance of A. B. of (*A. B's residence and profession, trade or calling*,) you are hereby commanded, for assuring the payment of the sum of                      dollars due him by C. D., of (*C. D's residence and profession, trade or calling*,) under judgment of this court, (*state briefly the subject and date of the judgment*), to seize and attach in the hands of E. F., of (*E. F's residence and profession, trade or calling*,) all sums and things generally whatsoever, which he owes or will owe on any account whatsoever, or has or will have in his hands belonging to the said C. D., strictly prohibiting him from parting with the same, on pain of paying the same twice, and of being personally liable for the sum so due to the said A. B. as aforesaid.

And you are further commanded to summon the said C. D. and E. F. to appear before this court, at the house of                      , in the said town, (*or as the case may be*) of                      , on the                      day of                      next, (*or instant*,) at                      o'clock in the                      noon, the said C. D. to show cause why this attachment should not be declared good and valid, and the said E. F. to make his declaration under oath under this warrant ; notifying them that otherwise order may be made in the matter by default ; and have you then and there this warrant, with your doings thereon.

Given under my hand and seal, at                      , this  
day of                      , 19                      .

[L. S.]

G. H.,  
*Commissioner.*"

2. Schedules numbers 1, 2, 3, 4, 5 and 6, following article 2445 of the Revised Statutes, are repealed. Certain  
schedules  
repealed.

3. This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 80

An Act to amend the Municipal Code respecting  
registry offices

[Assented to 14th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Art. added  
after article  
517, M. C.  
Building of  
certain re-  
gistry,  
offices, &c.

**1.** The following article is inserted in the Municipal Code after article 517.

“ **517a.** 1. If a county municipality contains several registration divisions, it shall provide for the building of a registry office in each division, with a metal safe or a fire-proof vault, and shall be subject, as regards each of such offices, safes, or vaults, to all the obligations imposed by this code with respect to registry offices in counties, and to metal safes or fire-proof vaults in such offices.”

Expenses,  
how appor-  
tioned.

**2.** All expenses necessarily incurred for the registry office, and the safe or vault, in a registration division, shall be apportioned by the county municipality among the local municipalities contained in the registration division.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 81

An Act to amend articles 531 and 533 of the Municipal Code,  
respecting municipal roads

[Assented to 25th April, 1908]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Municipal  
Code, art.  
531,  
amended.

**1.** Article 531 of the Municipal Code is amended by striking out all the words after the word “ council ”, in the fifth and sixth lines.

Id. 533,  
amended.

**2.** Article 533 of the said Code, as amended by the acts 52 Victoria, chapter 55, section 1, and 53 Victoria, chapter 63, section 3, is further amended :

*a.* By replacing the first paragraph by the following :



" **533.** For the cleaning or levelling of any ford, and for the <sup>Cleaning, &c., of fords, &c.</sup> paving, macadamizing or planking of any road or part of a road under the control of the council, at the expense of those liable for the work on such ford or road."

*b.* By striking out the word "gravelling", in the second line of the second paragraph."

**3.** The following article is inserted in the said Code after <sup>Id., art.</sup> article 533, as amended by the acts 52 Victoria, chapter 55, <sup>inserted after art. 533</sup> section 1, and 53 Victoria, chapter 63, section 3 :

" **533a.** For the raising, rounding, gravelling, or covering <sup>Raising, &c., of roads, &c.</sup> with sand, any road or part of a road under the control of the council, at the expense of those bound for the work upon such road, and for the imposition for such purpose of a special tax for the execution of such work."

**4.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

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## CHAP. 82

An Act to amend article 828 of the Municipal Code

[Assented to 25th April, 1908]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Article 828 of the Municipal Code, as contained in article <sup>Municipal</sup> 6179 of the Revised Statutes, is amended by replacing the <sup>Code, art. 828,</sup> words "the period of one year," in the second and third lines <sup>amended.</sup> of the second paragraph by the words : "a period of not more than five years."

**2.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

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## CHAP. 83

## An Act to amend the charter of the City of Quebec.

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS the City of Quebec has, by its petition, represented that it is necessary to amend its charter, the act 29 Victoria, chapter 57, and the various acts amending the same, and whereas it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

51-52 V., c.  
78, s. 69,  
replaced.  
Contents of  
annexation  
by-law.

**1.** Section 69 of the act 51-52 Victoria, chapter 78, is replaced by the following :

“ **69.** Such by-law shall contain a full description of the territory to be annexed, set forth the terms and conditions of the annexation and specify whether the territory so annexed shall constitute a new ward, or whether it shall be annexed wholly or partially, to one or more wards of the city.

Assessments,  
&c., in an-  
nexed terri-  
tory.

In imposing the assessments and taxes for the territory to be annexed, the city may make a distinction between properties held for agricultural or horticultural purposes, and urban property ; it is also empowered, for annexation purposes, to grant the rate-payers of such territory, for a period not exceeding ten years, different rates for assessments, taxes or licenses of any kind, on the terms and conditions of the aforesaid by-law.

By-law of  
November  
9th, 1907,  
declared *intra*  
*vires*.

The by-law passed by the council of the city of Quebec, on the ninth of November, one thousand nine hundred and seven, respecting the annexation of the municipality of the village of St. Malo, is declared to be within the powers of the city of Quebec.”

29-30 V., c.  
57, s. 32,  
amended.  
Bailing of  
persons ar-  
rested on  
view.

**2.** The first paragraph of sub-section 16 of section 32, of the act 29-30 Victoria, chapter 57, is replaced by the following :

“ **16.** Any person arrested on view for an offence against any provincial law or against the by-laws of the city, may be admitted to bail by a justice of the peace or by the sergeant, or other officer or peace officer then in charge of the police station, who shall accept as sureties only persons of known solvency for the appearance of the person so arrested before the said Recorder's Court, on the day named in the recognizance.”

Summons  
before  
Recorder's  
Court.

**3.** Whenever any person is accused of an offence against the provisions of the charter or of a by-law of the city, and the person so accused is not taken and arrested on view, he may

be summoned by a writ of summons to appear before the said Recorder's Court to answer unto the complaint clearly and succinctly set forth in the said writ. Such writ of summons shall be served by any bailiff or peace officer, provided, however, that, in the case of an offence punishable by fine or imprisonment under the charter or by-law, as aforesaid, proceedings may be taken against the offender, either by writ of summons, as aforesaid, or by a warrant of arrest issued by the Recorder on an affidavit laid before him.

Service thereof.

Warrant of arrest.

**4.** Section 36, of the act 7 Edward VII, chapter 62, is replaced by the following :

7 Ed. VII, c. 62, s. 36, replaced.

**" 36.** For the fulfilment of the objects mentioned in the foregoing article, the said city has the right to acquire, lease or hold, both within and without the limits of the city, all properties, water-powers, workshops, conduits and works whatsoever, and to exercise, for such purposes, within the city all the rights of expropriation it now possesses for improvements and public works in the city."

Acquisition, &c., of property for water-works.

**5.** Section 34, of the act 7 Edward VII, chapter 62, is amended by adding the following paragraph thereto ;

Id., s. 34, amended.

**" The** amount of the taxes for carrying on any business, trade or occupation, in the city, by persons residing outside its limits, but theretofore paying no municipal tax to the said city, may be different from the amount of the said taxes exacted from persons residing therein, and such taxes may be levied in the form of permits or licenses."

Business tax on outside residents.

**6.** Sub-sections 2 and 3, of section 62, of the act 29-30 Victoria, chapter 57, are amended, by adding the following paragraph thereto :

29-30 V., c. 57, s. 62, amended.

**" The** complaint, in the cases above mentioned, may also be made by any person taking an interest in such minor child or female minor."

Others who may make complaint.

**7.** Section 2, of the act 60 Victoria, chapter 59, is amended by adding thereto the following paragraph :

60 V., c. 59, s. 2, amended.

**" Bagot** street, in its extension to St. Joseph street, may be of a width of not less than thirtyfeet."

Width of part of Bagot street.

**8.** Sub-sections 2 and 3, of section 1, of the act 33 Victoria, chapter 46 ; section 3, of the act 33 Victoria, chapter 46 ; and section 44, of the act 51-52 Victoria, chapter 78, are repealed.

33 V., c. 46, s. 1 subsect. 2 and 3; 33 V., c. 46, s. 3; and 51-52 V., c. 78, s. 44, repealed.

**9.** From the date of the sanctioning of this act the extent of territory hereinafter described, bordering on the city and acquired by it from one Frederick Canac dit Marquis under

Certain territory annexed to city.

deed of sale passed before Jos. Savard, Notary, on the 23rd August 1907 and registered the 24th day of August 1907, shall be and remain annexed to the city of Quebec and shall from part thereof to wit: a lot of land of irregular shape in the parish of St. Malo, forming part of the undivided portion of lot number two thousand three hundred and forty two (2342) on the official plan and book of reference of the cadastre of the parish of St. Sauveur, the said lot being bounded as follows: to the North by the river St. Charles; to the South partly by the line of the Canadian Pacific Railway or their representatives and partly by the land belonging to the Imperial Oil Company or their representatives; to the East by the land of the Reverend Sisters of the Ursulines of Quebec or their representatives; to the West partly by the said Imperial Oil Company or their representatives, and partly by the road leading to the Aqueduct Bridge; and the limits of the city are accordingly changed.

33 V., c. 46, s. 1, amended. **10.** Subsection 3 of section 1 of the act 33 Victoria, chapter 46 as amended by section 48 of the act 7 Edward VII, chapter 62 is replaced by the following:

Salary of mayor. "3. The mayor shall receive out of the funds of the city the sum of \$3,000.00 annually."

59 V., c. 47, s. 27, amended. **11.** Section 27, of the act 59 Victoria, chapter 47, is amended, by replacing the form of schedule A, by the following:

Form of oath. "I, A. B., having been elected mayor (or Alderman, as the case may be), of the city of Quebec, swear that I will fulfil the duties of the said office faithfully and to the best of my judgment and capacity; that I own, in the said city, (in the case of the mayor), for my own use, immoveable property of the value of five thousand dollars, at least, (of two thousand dollars at least, in the case of aldermen for seat No. 1 and No. 2, and of one thousand dollars, at least, for aldermen for seat No. 3), over and above my just debts, and that I have not obtained the said property by fraud or collusion; that I shall be faithful and bear due allegiance to the lawful Sovereign of the United Kingdom of Great Britain and Ireland, and that I shall defend him to the best of my power from all conspiracies or attempts that may be made against his person, crown, and dignity—the whole without any equivocation or mental reservation whatsoever—so help me God."

55-56 V., c. 50, s. 2, amended. **12.** Section 2 of the act 55-56 Victoria, chapter 50, is amended by adding thereto the following paragraphs:

Contract for ferry service. "Any contract which may be passed with an individual or a company to establish a ferry service between the said city and the south bank of the river St. Lawrence, shall have no force or effect until approved by the Lieutenant-Governor in Council.

The city, shall, two years, at least before the expiration of such contract, call for tenders, in the ordinary manner, for the renewal thereof. Calling for tenders therefor.

A delay of eighteen months however shall be sufficient for the calling of tenders for renewal of the present contract." Proviso.

**13.** This act shall not affect pending cases.

Pending cases.

**14.** This act shall come into force on the day of its sanction.

Coming into force.

## SCHEDULE

No. 419

### CITY OF QUEBEC

CITY OF QUEBEC,  
DISTRICT OF QUEBEC

}

### A BY-LAW

To annex to the CITY OF QUEBEC THE MUNICIPALITY OF THE VILLAGE OF ST. MALO.

*(Drawn up in the French Language.)*

At a meeting of the city council of the city of Quebec, held at the city hall, in the said city of Quebec, on the twenty-ninth day of November, one thousand nine hundred and seven (1907), in conformity to law, and in virtue of a by-law passed by this council pursuant thereto, and after the due observance of all the formalities prescribed by the statute in such case made and provided, at which meeting are present two-thirds of the members composing the council of the city of Quebec, that is to say :—

His Worship the Mayor; Aldermen Barbeau, Barry, Be-dard, Brunet, Campbell, Duquet, Fiset, Foley, Fortier, Galilipeault, Hall, Hogan, Huard, Lavigueur, Lemay, Mathieu, Messervey, Mulrooney, Paquin, Shink, St. Pierre;

It is ordained and enacted by the municipal council of the city of Quebec, and the said council ordains and enacts as follows :—

1st. The municipality of the village of St. Malo shall form one of the wards of the city of Quebec, the limits of which shall be the limits of the municipality as they presently exist and shall be known under the name of "St. Malo Ward."

2nd. St. Malo Ward shall be represented in the city council by an alderman who shall be elected in the manner prescribed by the city charter, by the municipal electors of the territory thus annexed, possessing the qualifications required by the city charter for seat No. 3, and a list of which shall have been previously prepared by the secretary-treasurer of the municipality thus annexed, who shall transmit the said list to the city clerk.

When the increase of the number of tax-payers in St. Malo Ward shall justify a change, the representation of the said ward in the city council shall be raised to the same figure as that of the other wards, and the said change shall be decided upon by a by-law of the council to that effect.

3rd. When the said alderman shall have been elected as provided by law and shall be in a position to take his seat in the council of the city of Quebec, the secretary-treasurer of the village of St. Malo shall deliver into the hands of the city treasurer all the minute-books or other registers, rolls of assessment or valuation, archives, papers, and all documents whatsoever belonging to the council of the municipality of the said village, and also all sums of money which may be in his possession in his quality of secretary-treasurer, and, from the date of said delivery, all sums of money due or to become due to the former municipality of the said village of St. Malo shall be payable only to the city treasurer.

4th. From the date of the enforcing of the annexation, the city of Quebec, shall be alone responsible for all debts contracted by the municipality of St. Malo, and all the moveable and immoveable property belonging to the said municipality shall become and be the property of the city of Quebec.

5th. All carters, bakers, milkmen, or other persons residing in the said village who, when the said annexation shall come into force, may have obtained from the city licenses for the exercise of their trade or occupation in the said city for the current civic year, may obtain from the city the reimbursement of any excess which they may have paid over and above the sum paid for similar licenses by persons residing in the city.

6th. From the date of the annexation until the 30th of April, 1908, no taxes shall be levied in the new ward but those which shall have been imposed by the council of St. Malo.

7th. From the first of May, 1908, the tax-payers of the new ward shall pay the water rates and the school tax at the same rate as that imposed for all other wards.

The payment of all other taxes and assessments shall be governed by the following article :—

8th. For the period of ten years, beginning the 1st of May, 1908, and finishing the 30th of April, 1918, all buildings actually existing in St. Malo and all others which may be erected

from this date to the 30th, of April, 1913, shall not be assessed at a rate higher than that existing at present in St. Malo.

Lots which are at present vacant shall be subject only to the rate of taxes at present in force in St. Malo, until the 30th April, 1913. After that date, they shall continue under the said rate as long as they remain vacant, and that, until the 30th of April, 1918.

All new buildings erected after the first of May, 1913, shall be subject to the same taxes as may be in force throughout the city.

9th. From the 1st of May, 1918, all immoveable properties in St. Malo shall be subject to the ordinary taxes and assessments of the city of Quebec.

10th. The corporation of the city of Quebec, within a delay not to exceed a year, from the 1st of May, 1908, shall introduce water of the city water-works and construct drainage pipes for the drainage of all the streets in the new ward, where the annual estimated revenue of the water rate shall be equal to at least 4 per cent of the cost of the introduction, and shall also build the gully wells and hydrants wherever necessary.

11th. The streets of the new ward shall be macadamized gradually as need may be, and the city shall provide the lighting of the said streets where necessary,

12th. The sale of meats or other provisions in private stalls shall be allowed in St. Malo ward upon the obtaining of a license for that purpose. The annual rate of such license shall be determined by the city council, but from now until the 1st of May, 1913, the said rate shall not exceed the sum of (\$30) thirty dollars.

13th. The present by-law shall come into force as soon as it shall have been approved and ratified by act of the Legislature of this Province.

J. GEO. GARNEAU,

Mayor

Attested. (L. S.)

H. J. J. B. CHOUINARD,

City Clerk.

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## CHAP. 84

An Act to amend the charter of the city of Quebec, respecting  
des Carrières Street

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS the Chateau Frontenac Company, have by their petition represented that it is desirable in the public interest that the act 7 Edward VII, chapter 62, be amended, and it is expedient to grant the prayer of said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c.  
62, s. added  
after s. 43.

Closing of  
part of Des  
Carrières  
street, &c.

**1.** The following section is inserted in the act 7 Edward VII, chapter 62, after section 43 :

“ **43a.** The city may, by by-law of the council, close that part of Des Carrières street extending between St. Louis and Mont Carmel streets, and transfer to the Chateau Frontenac Company, on such conditions as it may deem proper, and as shall be set forth in a notarial contract between the parties, the land therein contained, in exchange for a strip of land for the opening of another street further west between St. Louis and Mont Carmel streets, which streets may be less than sixty feet wide. In the event of the said street being opened, the city shall have the power to grant to the Chateau Frontenac Company permission to build wings or other constructions of the proposed addition to its hotel over the said new street.”

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 85

An Act to amend the charter of the city of Montreal, with  
respect to general administration

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS the city of Montreal has, by its petition, represented that it is in the interest of the proper administration of its affairs that its charter, the act 62 Victoria, chapter 58 and the acts amending the same, be amended, and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the



Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 5 of the act 62 Victoria, chapter 58, as amended 62 V., c.58, s. 5, amended. by the act 7 Edward VII, chapter 63, section 1, is again 5, amended. amended by adding the following paragraphs thereto :

"a. The following is annexed to the city and shall form Territory  
part of St. Denis ward : annexed to  
city to form  
part of St.  
Denis ward.

A territory bounded on the north-east by the cadastral numbers 207 of the municipality of Rosemont and 474 of the parish of Sault-au-Recollet ; on the north-west by the Côte St. Michel road ; on the south-west by the territory annexed on the 5th November, 1906, that is to say by number 482 of the cadastre of the parish of Sault-au-Recollet and by the north-eastern boundary of St. Denis ward, of the city of Montreal ; on the south-east by the municipality of deLorimier and the north-eastern boundary of part of number 172 of the cadastre of the municipality of Rosemont, the said number 172, now forming part of the city of Montreal. Such territory comprises the following cadastral numbers and their subdivisions : 208, 209, 210 and 211 of the municipality of Rosemont and numbers 475, 476, 477, 478, 479, 480 and 481 of the parish of Sault-au-Recollet.

The city agrees to pay the present funded debt of the cor- Conditions of  
poration of the village of Rosemont, consisting of bonds or annexation.  
debentures issued by the council to the extent of twenty thousand dollars; the interest to become due on these bonds or debentures from the coming into force of this act shall be paid by the city.

The city shall pay a further sum of three thousand dollars to the corporation of the village of Rosemont within thirty days from the coming into force of this act.

The city shall be proprietor of all property whatsoever belonging to the corporation of the village of Rosemont, which may be situated within the territory annexed.

The corporation of the village of Rosemont shall upon request made to them by the clerk of the city, deliver copies of all plans, archives, by-laws, *procès-verbaux*, ordinances, titles, and contracts relating to the annexed territory.

The taxes due or to become due up to the coming into force of this act shall be collected by and belong to the corporation of the village of Rosemont.

The taxes shall be levied by the city from the coming into force of this act.

The city shall respect all contracts of the village of Rosemont with regard to commutations and exemptions of taxes granted to the estate Molson and Mr. Ovide Lapierre.

The present councillors of the village of Rosemont shall

remain in office as members of the council of the village of Rosemont until the expiration of the term for which they were elected.

Town of  
Notre-Dame  
des Neiges  
annexed to  
city, as  
Mount Royal  
Ward.

“ b. There shall be annexed to the city, and shall form a ward under the name of Mount Royal ward, which shall be represented in the municipal council of the city by two aldermen :

The town of Notre Dame des Neiges, with its territorial limits as established by its charter.

Conditions of  
annexation.

The assets and liabilities of the town of Notre Dame des Neiges shall form part of the assets and liabilities of the city of Montreal, and the permanent employees of the said town shall become employees of the city and be continued in their offices at the discretion of the committees having jurisdiction in the matter when the appropriations for the next fiscal year are voted.

The city of Montreal shall :

1. Continue in 1908, the opening of Mountain street, with a width of sixty-six feet in the direction of St. Catherine road, the amount of expenditure not to exceed \$6,000.00.

2. Continue, within two years from the coming into force of this act, the opening of Decelles street, with a width of sixty-six feet in the direction of St. Catherine road, the amount of expenditure not to exceed \$6,000.00 ;

3. Widen, within two years from the coming into force of this act, the Côte des Neiges road so as to give it a width of seventy feet, the amount of expenditure not to exceed \$70,000.00.

The rate of assessment on immoveables situate within the present territory of the town of Notre-Dame des Neiges shall not exceed one-half of one per cent for the two years following the annexation.

The expropriations required for the execution of the works and improvements mentioned in this section, shall not be governed by the charter of the city of Montreal, but shall be effected under the act 54 Victoria, chapter 38, and the compensation to be paid to the persons expropriated shall be established in accordance with the provisions of this act.”

62 V., c.58, s.  
7, amended.

2. Article 7 of the act 62 Victoria, chapter 58, as amended by the acts 3 Edward VII, chapter 62, section 2, and 7 Edward VII, chapter 63, section 3, is again amended :

a. By replacing the first paragraph thereof by the following :

Wards of  
city.

Boundaries.

“ 7. The city of Montreal is divided into twenty-one wards respectively called: East, Centre, West, St. Anne, St. Joseph, St. Andrew, St. George, St. Lawrence, St. Louis, St. James, La Fontaine, Papineau, St. Mary, Hochelaga, St. Jean Bap-

tiste, Duvernay, St. Gabriel, St. Denis, Ste. Cunégonde, St. Henry, and Mount Royal ; and each of such wards is comprised between the following boundaries and limits ;”

b. By adding the following clause after the third clause of paragraph 17.

“ St. Denis ward also comprises the territory described in the twelfth clause of article 5 ;” St. Denis Ward.

c. By inserting the following paragraph after paragraph 17 ; Boundaries of Mount Royal Ward.

“ 18. The boundaries and extent of Mount Royal ward shall be those mentioned in article 5.”

**3.** Article 7 of the act 62 Victoria, chapter 58, as amended Id., s. 7, by the acts 3 Edward VII, chapter 62, section 2, and 7 Edward VII, chapter 63, section 3, is amended by adding the following clause at the end of paragraph 1 :

“ The East ward also includes St. Helen’s Island, l’Île Ronde, and l’Île Verte.” East ward includes certain islands.

**4.** Article 333 of the act 62 Victoria, chapter 58, as re- Id., s. 333, placed by the act 3 Edward VII, chapter 62, section 26, is again replaced by the following :

“ **333.** Every year, the council may dispose of such capital amounts as the city may have at its disposal within the limits of its legal borrowing powers, but only for the purposes mentioned and set forth in article 344 ; provided always that no expenditure of such capital amount shall be voted or made, until and unless the details, specifications, and approximate cost of each of the works or objects for which such special expenditure is contemplated, are submitted to the council and approved by the absolute majority of all the members of the council, on a report of the finance committee, in accordance with article 42.” Expenditure on capital account.

**5.** Article 343 of the act 62 Victoria, chapter 8, is replaced by the following : Id., s. 343, replaced.

“ **343.** In addition to the special loans authorized by the act 62 Victoria, chapter 58, and its amendments, as well as the loans authorized by article 344 of the said act and by section 13 of the act 7 Edward VII, chapter 63, amending the latter article—which loans do not form part of the funded debt—the city’s borrowing power is limited to fifteen per cent of the value of the taxable immoveable property, and such limit shall never be exceeded.” Limits of borrowing power.

**6.** The change made in article 343 by the foregoing section shall not be interpreted so as to prevent the city from doing what is necessary to complete the consolidation of its debt Consolidation of debt not prevented.

in accordance with schedule A, of the act 62 Victoria, chapter 58.

Id., s. 344,  
replaced.

**7.** Article 344 of the act 62 Victoria, chapter 58, as amended by the act 7 Edward VII, chapter 63, section 13, is replaced by the following :

How certain  
moneys to be  
used, &c.

**" 344.** The moneys levied under the foregoing article cannot be used for any other purpose than continuing the execution of certain public works, such as the extension of water-works and water services ; the extension of public parks and of the sewerage system and laying of permanent (not wooden) sidewalks in accordance with the provisions of this charter ; the construction and enlargement of municipal buildings such as markets, fire and police stations, the city-hall, public baths and lavatories, hospitals and other municipal structures or buildings, permanent pavements, the opening and widening of streets, the purchase and extension of parks and squares ; the expropriation expenses authorized by law as well as the works or improvements rendered necessary by such expropriations.

Proviso.

Repairing,  
&c., of  
streets.

The council may, however, during the year 1908, take out of the amount borrowed in virtue of this article, a sum not exceeding \$250,000.00 for repairing and improving the streets."

S. 344 not  
retroactive.

**8.** The change made in article 344 by the foregoing section shall not be interpreted as affecting any matter or thing done under the provisions of the said article.

Id., s. 344a,  
repealed.  
Previous  
loans, &c.,  
not affected.

**9.** Article 344a of the act 62 Victoria, chapter 58, as enacted by the act 4 Edward VII, chapter 49, section 10, is repealed :

Such repeal shall in nowise affect loans previously effected under the said article, and shall not deprive the city of the power of contracting the loan of \$300,000.00 it was authorized to contract for the year 1906 by such article.

Certain  
loans not  
part of  
funded debt.

The loans effected under article 344a and that to be contracted in virtue of the foregoing paragraph shall not form part of the city's funded debt.

Id., s. 344b,  
replaced.

**10.** Article 344b, of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 14, is replaced by the following :

Certain  
loans distinct  
from funded  
debt.

**" 344b.** The loans effected under article 351b shall be considered as distinct from the funded debt and as having never formed part thereof."

Id., s. 345,  
replaced.

**11.** Article 345 of the act 62 Victoria, chapter 58, is replaced by the following :

Issue of  
bonds, &c.

**" 345.** The loans under article 343 may, at the choice of

the council, be effected by means of an issue of bonds, debentures or inscribed stock, for a fixed term, provided the nominal rate of interest shall not exceed four per cent. Such bonds, debentures or inscribed stock may be issued in currency of the country where the loan is negotiated.

It shall, nevertheless, be lawful for the finance committee, <sup>Temporary</sup> to negotiate such loans temporarily, in the name of the city, <sup>bonds, &c.</sup> by means of temporary bonds, treasury bills or other securities negotiable on the money markets until the time is deemed favorable for the issue provided for in the foregoing paragraph."

**12.** Article 346 of the act 62 Victoria, chapter 58, as re- <sup>Id., ss. 346,</sup> placed by the act 3 Edward VII, chapter 62, section 30, and <sup>346a, re-</sup> article 346a of the act 62 Victoria, chapter 58, as enacted by <sup>placed.</sup> the act 4 Edward VII, chapter 49, section 11, are replaced by the following :

" **346.** Every year, as soon as possible after the assessors <sup>Certificate of</sup> have signed the assessment roll, it shall be the duty of the city <sup>comptroller</sup> comptroller to submit to the council a certificate showing the <sup>re borrowing</sup> borrowing power resulting from the increase in value of taxable property, and the council may award contracts for the supplying of materials in anticipation of the permanent works to be performed in the following year, provided the amount so disposed of shall not exceed twenty per cent of the borrowing power thus valued."

**13.** The following article is inserted in the act 62 Victoria, <sup>Id., s. in-</sup> chapter 58, after article 376 : <sup>serted after s.</sup>

" **376a.** In making the tax roll, the assessors shall insert <sup>Contents of</sup> therein the name, surname, occupation and residence of every <sup>tax roll.</sup> person in the city paying the water rate or tax to any firm or corporation other than the city ; and every such person shall, if he be otherwise qualified as an elector, be entered on the list of electors of the said city."

**14.** Article 455 of the act 62 Victoria, chapter 58, is re- <sup>Id., s. 455,</sup> pealed. <sup>repealed.</sup>

**15.** Article 300 of the act 62 Victoria, chapter 58, as amended <sup>Id., s. 300,</sup> by the acts 63 Victoria, chapter 49, sections 7 and 8 ; 3 Edward <sup>amended.</sup> VII, chapter 62, sections 22 and 23 ; 4 Edward VII, chapter 49, sections 6 and 7 ; and 7 Edward VII, chapter 63, sections 10 and 11, is again amended by replacing paragraph 109 by the following :

" 109. To contribute to the establishment and maintenance <sup>Contribution</sup> of libraries, reading-rooms and public museums for historical, <sup>to libraries,</sup> &c."

literary, artistic or scientific purposes and also to give subsidies to agricultural, industrial or international exhibitions."

Id., s. 350,  
replaced.

**16.** Article 350 of the act 62 Victoria, chapter 58, is replaced by the following :

Alderman to  
forfeit seat,  
&c., in cer-  
tain case.

**" 350.** Any alderman authorizing or approving the appropriation of any part of the loans above referred to, to any other purpose, shall *ipso facto* forfeit his right to sit in the council and shall be ineligible as member of the council for a period of five years."

Id., s. 351b,  
amended.

**17.** Article 351b of the act 62 Victoria, chapter 58, as enacted by the act 7 Edward VII, chapter 63, section 15, is amended by replacing the last clause thereof by the following :

Issue of  
bonds, &c.

" The loan or loans provided by this article may be effected by the issue of bonds, debentures or registered stock signed by the mayor and city treasurer and bearing a certificate from the city comptroller, stating the purpose for which they are issued."

Id., s. 362,  
amended.

**18.** Article 362 of the act 62 Victoria, chapter 58, as replaced by the act 3 Edward VII, chapter 62, section 36, is amended by replacing paragraph (a) by the following :

Certain  
buildings, &c.,  
exempt from  
taxation.

**" (a)** Every building or part of a building used for the purpose of religious worship, including the land on which it is built, *fabriques*, bishops' palaces, and parsonages when occupied as residences by the priest or the minister in charge of any church in the city, provided but one parsonage for each church shall have the benefit of the exemption ; and when there is no parsonage occupied by a priest or minister in charge of a church, the residence of the priest or minister in charge of any church in the city, provided that if such residence be valued at more than \$15,000.00, it shall be exempt from the assessment on real estate imposed on an assessed value of \$15,000.00 only and that only one residence for each church, shall have the benefit of such exemption."

Proviso.

S. 18, retro-  
active as to  
years 1906,  
1907.

**19.** Notwithstanding any law to the contrary, the provisions of the foregoing section shall, as regards the residences mentioned in the said section, have a retroactive effect extending to the yearly assessments on immoveables imposed in 1906 and 1907.

3 Ed. VII, c.  
62, s. 52, par.  
15, sub-par.  
(d), amend-  
ed.

**20.** Sub-paragraph (d) of paragraph 15, of section 52, of the act 3 Edward VII, chapter 62, as amended by the acts 4 Edward VII, chapter 49, sections 25 and 26 ; 5 Edward VII chapter 40, section 1, and 7 Edward VII, chapter 63, section 49, is again amended by adding the following clause thereto :

"The city shall pay \$17,500.00 for widening St. Antoine street between Mountain street and Guy street, in addition to half the cost of expropriation connected with such widening which it is authorized to pay in virtue of the first clause of this paragraph; and an equal amount shall be deducted from the one-half of the cost of the said expropriation at the charge of the proprietors in virtue of the said clause."

**21.** Section 52 of the act 3 Edward VII, chapter 62, as amended by the act 7 Edward VII, chapter 63, section 49, is amended by replacing the first clause of sub-paragraph (e) of paragraph 15 by the following :

"(e). Between now and the end of December, 1908, to widen St. Antoine street, south side and north side from Guy street to Fulford street, in accordance with the homologated plan of St. Antoine ward. The cost of such widening shall be paid one half by the city and one half by means of an assessment levied on all the proprietors of immovables situate on each side of St. Antoine street from Guy street to Fulford street."

**22.** Article 338 of the act 62 Victoria, chapter 58, is amended by adding the following clause thereto :

"Nevertheless the said liabilities and disqualifications enacted in this article shall not exist if the council of the city has subsequently acknowledged and ratified the said expenditures of money as being valid and lawful. This provision shall have effect for the past only."

**23.** Nothing contained in this act shall affect existing contracts nor vested rights, nor serve to interpret such contracts.

**24.** The city is authorized by by-law to assist the families of such officers and employees of the city who may have been killed or seriously injured in the exercise of their respective duties, the amount determined in each case to be left to the discretion of the council with the approval of the majority of the members of the council.

**25.** This act shall come into force on the day of its sanction.

## CHAP. 86

## An Act to amend the charter of the city of Three Rivers

[Assented to 25th April, 1808]

## Preamble.

**WHEREAS**, the corporation of the city of Three Rivers has by petition, represented, that it is in the interest of the proper administration of its affairs that its charter, the act 1 Edward VII, chapter 44 and the act 5 Edward VII, chapter 43, amending the same, be amended ; and whereas it is expedient to grant the prayer to that effect contained in the said petition ,

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1 Ed. VII, c.  
44, ss. 10, 11,  
replaced.

**1.** Articles 10 and 11 of the act 1 Edward VII, chapter 44, as replaced by the act 5 Edward VII, chapter 43, section 1, are replaced by the following :

Qualifica-  
tions for  
mayor.

**" 10.** No person can be validly nominated or elected mayor of the city of Three Rivers, or fill such office, unless he shall have resided and held his principal place of business within the city for one year immediately preceding such election, nor unless he is possessed, as owner in his own name or in the name of his wife, for at least three months previous to the said nomination, of real estate within the city, of the value of two thousand dollars, over and above all hypothecary debts, according to the valuation roll in force ; provided also that one month previous to such nomination the said immoveables have been entered on the valuation roll in force in his own name or in the name of his wife.

Qualifica-  
tions for  
alderman.

**" 11.** No person shall be capable of being validly nominated or elected alderman of the city of Three Rivers, or fill such office, unless he shall have resided and held his principal place of business within the city for one year immediately preceding such election, nor unless he is possessed as owner in his own name or in the name of his wife, for at least three months prior to the said nomination, of real estate within the city of the value of twelve hundred dollars, over and above all hypothecary debts, according to the valuation roll in force ; provided also that one month previous to such nomination the said immoveables have been entered on the valuation roll in force in his own name or in the name of his wife."

Id., s. 19,  
replaced.

**2.** Article 19 of the act 1 Edward VII, chapter 44, as



amended by the act 5 Edward VII, chapter 43, section 3, is replaced by the following :

“ 19. The following persons, if of the full age of twenty-one years, British subjects and not legally disqualified nor otherwise deprived of the right to vote in virtue of this charter, are electors, and are entered on the lists of electors prepared in accordance with the following provisions, viz :

1. Every male person and every widow or spinster whose name is entered on the valuation and assessment rolls in force as a *bonâ fide* owner or occupant of immoveable property, in the city, of the assessed value of two hundred dollars or upwards, according to said roll ; in cases where such property is held in usufruct, the names of the usufructuary shall alone be entered on the electors' list ;

2. The husband of any woman separate as to property, when the latter is seized, as owner or usufructuary, immoveable property in the municipality, of the assessed value of two hundred dollars or upwards, according to the valuation roll in force, or when she carries on trade or keeps a place of business which renders her subject to the payment of a tax, and when such place of business is entered on the collection roll as being of the annual value of not less than sixty dollars ;

3. Every male person, being a resident householder in the city under a lease, whose name is entered on the valuation and collection roll in force as tenant of a dwelling house or part of a dwelling house, in the ward for which the list is made, of the value of sixty dollars or upwards, according to such rolls”.

3. When two or more persons are joint proprietors, joint tenants or joints occupants of land or buildings estimated on the valuation roll or collection roll in force at a real or annual value sufficient to qualify each for electoral purposes, each of such joint proprietors, joint tenants and joint occupants is qualified as an elector, and shall be entered on the electors' list.

4. Persons entitled to vote as aforesaid, vote in and for the particular ward in which the property constituting their qualification to vote is situated ; but, when any such person is qualified as owner or occupant in more than one ward, or as tenant, owner or occupant in one ward, and at the same time as owner or householder in any other ward, he may vote for the election of alderman in each of the wards wherein he is qualified so to do, and he is entered in the list of electors for each of such wards ; provided that for the election of mayor,

such person shall vote once only ; and such vote shall be cast, if the elector be qualified in respect of residence, only at the polling place of the ward in which his domicile is situated.

Disqualifications.

Persons no longer proprietors, &c.

**5.** The following persons are not entitled to have their names entered on the electors' list :

The persons who at the time the list is made are no longer in possession as proprietors of the immoveable by which they were qualified ; the lessees no longer residing in the ward, and also lessees of stores, counting houses, shops, offices or other places of business qualified to vote as such, but who have not actually occupied such store, counting house, shop, office or other place of business since the month of May immediately preceding, or who have ceased to occupy the same when the list was made.

Payment of taxes before entry on list.

**6.** No person qualified to vote can be entered on the list of electors unless he has paid, at least thirty days before the day fixed for the election, all municipal and school assessments due and exigible.

Id., s. 117, replaced.

**7.** Article 117 of the act 1 Edward VII, chapter 44, is replaced by the following :

Vacancy in office of mayor.

**" 117.** In the event of the office of mayor becoming vacant through any cause whatsoever, an election to fill such vacancy shall at once be ordered in accordance with the provisions of this charter, within thirty days from the date when such vacancy occurred, and the person elected shall fill the office of mayor until the expiration of the term of office of the person whom he replaced."

Id., s. 156, amended.

**8.** Article 156 of the act 1 Edward VII, chapter 44, is amended by adding the following paragraph thereto :

Appointment of one assessor.

**"** The council shall have power to appoint a single assessor if it deem expedient."

Id., s. 165, amended.

**9.** Article 165 of the said act is amended by adding the following paragraph thereto :

Regulating, &c., burials within city, &c.

**" 59.** For regulating and preventing the burial of bodies within the city limits, for regulating and determining the manner in which corpses, placed in vaults or graves or in any other place for the purpose of burial, may be removed therefrom ; for regulating and controlling the establishment of cemeteries ; for removing corpses buried contrary to law and for closing any cemetery and having the bodies therein removed, and expropriate any land that may have served for such cemetery ; the proceedings in expropriation to be

in accordance with the provisions of the railway act, respecting expropriations.

This provision shall not apply to cemeteries in which interments are actually made, nor, in any case to churches." Proviso.

**10.** Article 251 of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 251.  
replaced.

**"251.** The following properties shall be exempt from taxation in the city of Three Rivers : Exemptions  
from taxation.

All lands and property belonging to His Majesty, his heirs or successors, held by a public body or by any person for the use of His Majesty, his heirs or successors.

All provincial properties and buildings ;

All premises used for public worship and all cemeteries, bishops' palaces, parsonages, and their dependencies ;

All public school houses and the grounds on which they are built ;

All houses or public establishments of education as well as the grounds on which they are built ;

All buildings, grounds and property occupied or owned by hospitals or other charitable institutions ;

All courts of justice or district gaols with their grounds ;

Provided always that such exemption shall not apply to the lots or edifices built on lots, rented or occupied by tenants, under the Government or ordnance department in the city; and such lots belonging to the Government or ordnance department, or to religious corporations and occupied by tenants, shall be valued and assessed in the same manner as other real estate in the city, and the taxes thereon shall be paid by the said lessees or occupants. Proviso.

The provisions of this article shall not be interpreted as relieving the owners, holders or occupants of the said properties from the obligation of maintaining and repairing the sidewalks, streets and roads in front of or along the said properties, and to which all other owners, holders or occupants of lots in the said city are liable, nor from that of paying the taxes for drainage, water and light." Interpretation of section.

**11.** Paragraph 5, of article 172, of the act 1 Edward VII, chapter 44, is replaced by the following : Id., s. 172,  
par. 5,  
replaced.

**"5.** For paving, macadamizing or planking all or any portion of the streets of the city and paying the cost thereof out of the city funds, also for imposing and levying a special tax on immoveables whenever it may be necessary to meet the expenses incurred for such improvements." Paving, &c.,  
streets, &c.

**12.** The council may, by by-law to that effect, exact from and impose upon persons not residing in the city and who Business tax  
on non  
residents.

come therein to ply their trade or occupation, a higher tax not exceeding twice that fixed for persons residing therein.

Loans for  
certain pur-  
poses.

**13.** The corporation of the city of Three Rivers is specially authorized by this act to borrow the amounts hereinafter indicated :

1. Fifty thousand dollars to be exclusively employed for paving and macadamizing the streets of the city.
2. Fifty thousand dollars to be exclusively employed improving and continuing its construction of the water-works.
3. Twenty-five thousand dollars to be exclusively employed in the necessary works for drainage and sewerage.

For effecting such loans or any portion thereof, the corporation of the city may issue debentures redeemable within thirty years at least and sixty-five years at the most from the date of their issue, and bearing interest not exceeding five per cent per annum, payable half-yearly with a sinking fund of at least one per cent.

Such debentures may be issued by the corporation of the city as it may deem necessary for the aforesaid purposes, for such amounts, redeemable either in this Province or elsewhere, at such period and in such manner as may be agreed upon with the holders of such debentures.

Such debentures shall bear the seal of the corporation, shall be signed by the mayor and countersigned by the treasurer of the city and registered by the latter in a register kept for such purpose.

Loans by  
school com-  
missioners  
for certain  
purposes.

**14.** The school commissioners for the city of Three Rivers are hereby specially authorized to borrow fifty thousand dollars to be employed in the payment of the construction of the school house in St. Ursule ward and the maintenance and repair of school houses generally in the city.

Issuing of  
bonds there-  
for, &c.

**15.** The said loan shall be effected by means of bonds or debentures, the issue whereof shall be in accordance with the provisions of section 13 of this act, for the issue of bonds in connection with municipal loans, with this difference only that the moneys required for the sinking fund, for the payment of interest and the redemption of the capital at maturity, shall be taken out of the funds of the school commissioners and not out of the municipal funds of the city.

Signing of  
certain docu-  
ments by  
stamp, &c.

**16.** Notwithstanding any law to the contrary, the secretary-treasurer of the city may sign the certificates of notices he is obliged to give in virtue of the charter and the by-laws of the said city, as well as the coupons of the debentures to be

issued by the council of the city, by means of a stamp bearing the *fac-simile* of his signature, which shall be previously approved by the council and exclusively used for such purpose. The affixing of his signature by means of such stamp shall be to all intents and purposes as valid as if the secretary-treasurer had signed with his own hand.

17. The production of any document or deed bearing the signature so stamped, shall be *prima facie* evidence of the authenticity of such document or deed and of the authority of the officer to affix his signature by means of such stamp, and, with the exception of the aforesaid officer, it is forbidden for any person to make use of such stamp under penalty of a fine imposed by the by-laws that may be adopted to that effect. Document with stamped signature *prima facie* evidence. of contents, &c.

18. Paragraph 5 of article 257 of the act 1 Edward VII, Id., s. 257, chapter 44, as replaced by the act 5 Edward VII, chapter 43, section 12, is again replaced by the following: par. 5 replaced.

"5. On all peddlers and travelling merchants and also Peddlers, &c. upon dealers in second hand goods and other such articles a tax not exceeding two hundred dollars.

19. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 87

### An Act to amend the charter of the city of Sherbrooke

[Assented to 25th April, 1908]

**W**HEREAS the city of Sherbrooke has, by its petition, represented that it is desirable and in the public interest that certain amendments be made to the charter of the city of Sherbrooke, the act 7 Edward VII, chapter 66; and where- Preamble. as it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 6 of the act 7 Edward VII, chapter 66, is replaced by the following: 7 Ed. VII, c. 66, s. 6, re-placed.

"6. As soon as possible, after the committees are formed, each of such committees shall prepare a statement of the expenses it will have to meet, and the finance committee shall further submit a statement of the probable revenue for the year. Statement of expenses by committees, &c.

Appropriations, &c.

The council shall grant such appropriations as it may deem advisable to set apart for such expenses, retaining a margin of at least five per cent on the probable revenue.

Margin not to be spent. Proviso.

Nothing whatever shall be taken from or spent out of such margin except on a favorable report by the finance committee.

Purpose of appropriation not to be altered. Proviso.

No amount appropriated can be altered or employed for other purposes unless such change in the appropriation be approved by a vote of the absolute majority of all the members of the council."

3 Ed. VII, c. 38, ss. 157, 164, 165, replaced for city. Nomination of aldermen, &c.

**2.** Articles 157, 164 and 165 of the Cities and Towns' Act, 1903, as amended by articles 12 and 17 of the act 7 Edward VII, chapter 66, are replaced for the city by the following :

"The nomination of the aldermen shall take place at the city hall or at any other place specified by the council, on the 20th January of each year, from ten to eleven o'clock in the forenoon. And if such day be a non-juridical day, the nomination shall take place on the first juridical day following at the same hour. Public notice of such nomination shall be given by the secretary-treasurer at least eight days beforehand. The nomination of the mayor, if he be elected by the people, shall take place every two years in the same manner.

Election day.

The voting for the election of mayor and aldermen shall be on the first juridical day of February."

7 Ed. VII, c. 66, s. 18, repealed.

**3.** Article 18 of the act 7 Edward VII, chapter 66, is repealed.

Id., s. 14, repealed. 3 Ed. VII, c. 38, s. 158, to apply.

**4.** Article 14 of the act 7 Edward VII, chapter 66, is repealed and article 158 of the Cities and Towns' Act 1903, shall apply to the city of Sherbrooke.

Id., s. 386, par. 3, replaced for city. Making, &c., of sidewalks by abutting owners.

**5.** Paragraph 3 of article 386 of the Cities and Towns' Act, 1903, is replaced for the city, by the following.

"3. To oblige the owners of land situated on any road, street, square or public way, established in the municipality, to make and maintain in front of their property, or on the opposite side of the street or road, sidewalks of wood, stone or other material as provided, either throughout the whole municipality or only through a part thereof ; and to determine the manner of making and maintaining such sidewalks, and even make and maintain them at the expense of the municipality ; and to make and maintain said sidewalks partly at the expense of said owners of land and partly at the expense of the said municipality."

Borrowing, &c.

**6.** The corporation of the city of Sherbrooke may borrow money giving its own debentures as security, and the giving

of said debentures as such security shall not affect their negotiability either during said pledge or after. The money from such loan cannot be used for other purposes than those for which such debentures were issued.

**7.** Article 347 of the Cities and Towns' Act, 1903, as amended Id., s. 347, by article 28 of the act 7 Edward VII, chapter 66, is replaced <sup>replaced</sup> for the city by the following :

**"347.** By-laws are published, after the passing thereof, or Publication after their definitive approval in cases in which they have been of by-laws. submitted for the approval of the municipal electors or of the Lieutenant-Governor in Council, by a public notice under the signature of the mayor and clerk, published in the usual manner, in which mention is made of the object of the by-law, of the date on which it was passed, and of the place where communication may be taken thereof.

If the by-law be approved of by the municipal electors, the Notice, &c., notice and publication also mentions that such formality has in certain been observed, and the date upon which it was complied with." <sup>case.</sup>

**8.** Article 474 of the Cities and Towns Act, 1903, as amended Id., s. 474 by the act 7 Edward VII, chapter 66, section 58, is amended <sup>amended for</sup> for the said city by adding thereto the two following paragraphs :

**"The taxes herein above mentioned shall be levied annually. Certain taxes**  
**The taxes authorized under subsections E, F and G herein-annual.**  
 above, may in the discretion of the council be imposed <sup>Certain taxes</sup> and in form of levied in the form of a license which shall expire each year <sup>license.</sup>  
 at a date fixed by the council, no matter at what date they may have been issued, the whole subject to such conditions and restrictions as the council may determine."

**9.** Article 66 of the act 7, Edward VII, chapter 66, is re- <sup>7 Ed. VII, c</sup>pealed : <sup>66, s. 66</sup>  
<sup>repealed.</sup>

**10.** In the event of the city of Sherbrooke purchasing the Purchase by property of the Sherbrooke Power, Light and Heat Company, city of property, the property, assets and rights of every kind and nature what- <sup>city of Sher-</sup>soever of the said company shall, by the passing of a deed of <sup>brooke</sup> sale and the payment of the price by the city, be transferred <sup>Power, Light & Heat Co.</sup> to and vested in the said city, without its being necessary to give notice of the transfer to any of the company's debtors, and the passing of such deed and the said payment shall also affect the dissolution of the company except for purposes of liquidation, and the powers and duties of the directors and secretary-treasurer shall be continued for the said purposes.

**11.** The water department, and light, heat and power <sup>Board of con-</sup>  
<sup>trol for water</sup>

&c., departments. department shall be separate departments, and the council may by by-law establish for the administration of these two departments a board of control.

Composition thereof. This board shall be composed of the mayor and four members of the council.

Appointment of members, &c. They shall be appointed by the council for one year and shall be eligible for re-appointment. They shall receive no compensation or salary.

Duties of board. **12.** It shall be the duty of the board of control to administer the said departments in the manner hereinafter mentioned :

Preparation, &c., of estimates. a. To prepare for their departments an estimate of the proposed expenditure of the year and certify the same to the council for its approval.

Preparation of specifications, awarding of contracts, &c. b. To prepare specifications for and award all contracts relating to their departments, and for that purpose to call for all tenders for works, material and supplies, implements or machinery or any other goods or property required and which may lawfully be purchased for the use of the corporation, and to report their action to the council at its next meeting, and such contract shall be valid only after such meeting, if not then and thereafter disapproved in the manner hereinafter mentioned. Upon the opening of any tenders, the chairman or board shall require the presence of the head of the department with which the subject matter of such tender is connected, and of the city solicitor when required.

Heads of departments before board. Such head of department may take part in any discussion at the board, relating to such tender, but shall not be entitled to vote. The council may upon an affirmative vote of the majority of the members of the council present and voting, reverse or vary the action of the board of control in respect of such tender and contract and decision of the board.

Reversal of action of board by council.

Inspection of municipal works, &c. c. To inspect and report to the council monthly or oftener upon all municipal works relating to their departments, being carried on or in progress within the city.

Recommendation as to certain appointments, &c. d. To recommend to the council the persons to be appointed heads of their departments in case of any vacancy, and, after a favorable report by the head of either department, any other officer, clerk or assistant of the corporation in said departments required to be appointed by by-law or resolution of the council ; and to recommend the salaries of all officers of said departments.

Dismissal, &c., of heads of departments, &c. Proviso. e To dismiss or suspend any head of their departments and forthwith to report such dismissal or suspension to the council. But any such head of departments so dismissed by the board may be re-appointed or re-instated by the council ;



f. In the absence of any by-law of the council prescribing Appointment the mode of appointment of all or any other subordinate off- of subordi-  
 cer, clerks, assistants, employees, servants and workmen not ate officers, &c., included in clauses (d) and (e) of this section and required by said departments for the due and proper discharge and performance of the duties and work thereof, the board may by regulation or resolution, direct by whom and in what manner such subordinate officers, assistants, employees, servants or workmen shall be appointed, engaged or employed.

g. With respect to their departments all powers, duties and obligations given, conferred or placed upon aldermen in the city shall be possessed and exercised by, and shall be binding upon any controller. But if the controllers are elected by the municipal electors they shall not form part of the council unless they are also aldermen. Controllers to have certain powers of aldermen, &c.

13. The secretary and the assistant secretary of the corporation shall be the secretary and assistant secretary of the board of control. Secretary, &c., of city to be secretary, &c. of board.

14. In case any member of the board dies, resigns or becomes incapable of acting, the council may at a meeting called for that purpose, elect a successor to hold office for the unexpired portion of the term of such member ; or in the case of the temporary absence of any member for more than one month, or of his inability to act, his place may be temporarily filled by the council. Death, &c., of member of board.

15. When the members of the board of control are appointed by the council, the council at any time, after three days notice in writing to each member of the council, may by an affirmative vote of two-thirds of the members of the council present and voting, remove any member of the board of control other than the mayor, and may after such removal proceed to fill the vacancy thus created. But such removal and the filling of the vacancy shall take place only at a meeting specially called for that purpose. Renewal of members of board.

16. The council may, by by-law, change the mode of choosing the members of the board of control by ordering the same to be elected by the municipal electors of the whole city. Election of board by municipal electors.

17. In the case of the preceding article the election of the said members shall be held every year at the same time as the election of aldermen, but in the manner followed for the election of the mayor with such modifications as are necessary to make it applicable to the controllers. Dates of such elections.

18. No deposit of money will be required in the hands of No deposit required.

the returning officer with the nomination papers of the controllers.

Repeal of  
by-laws.

**19.** Any by-law for the establishment of a board of control, or to change the mode of choosing the members thereof can only be repealed by another by-law passed in the month of December of each year.

Coming into  
force.

**20.** This act shall come into force on the day of its sanction.

## CHAP. 88

### An Act to amend the charter of the city of Hull

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS the city of Hull has, by its petition, prayed for an act to amend its charter, and it is expedient to grant its prayer ;

Therefore, His Majesty with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

56 V. c., 52  
s.1, amended.

**1.** The thirteenth paragraph of section 1 of the act, 56 Victoria, chapter 52, is replaced by the following :

"Water-  
rates" de-  
fined.

"The words " water rates " shall designate the price or value of water supplied by the city for domestic purposes or for fire protection, as fixed under the provisions of this act or of any by-law passed in virtue hereof."

Id., s. added  
after s. 10.

**2.** The following section is added after section 10 of the said act, as replaced by the act, 4 Edward VII, chapter 56, section 1 :

By-law to  
shorten term  
of office of  
aldermen.

" **10a.** Nevertheless the city council shall on or before the first day of September, 1908, submit a by-law for the approval of the municipal electors, restricting the period of the re-election of the several aldermen to one year only ; such by-law shall have force of law with regard to all aldermen subsequently elected after its approval by the majority of the electors entitled to vote at municipal elections and who shall have voted.

What law to  
apply.

For the purpose of ascertaining whether such by-law is approved or not, sections 81 and following of the charter of the city of Hull, 1893, shall apply, *mutatis mutandis*."

**3.** The following section is added after section 16 of said Id., s. added after s. 16.  
act :

" **16a.** Should the property upon which the qualification of the mayor or of any alderman depends, be wholly or partially destroyed by fire or other fortuitous event during his term of office, such mayor or alderman shall not thereby be incapacitated from completing such term." Qualification not ended by loss of property by fire, &c.

**4.** Section 19 of the said act is replaced by the following : Id., s. 19, replaced.

" **19.** If any person, holding the office of mayor or alderman, is declared bankrupt, or becomes insolvent, or applies to take the benefit of any act for the relief of insolvent debtors, or compounds with his creditors, or takes or enters into holy orders, or becomes a minister or teacher of any religious sect, a judge or clerk of any court, or a member of His Majesty's Privy Council or of the Executive Council of the Province of Quebec, or becomes accountable in any way for the city revenue, or enters into the employ of the city, or is absent from the city more than two months continuously or from the meetings of the council for more than two months consecutively, unless in case of illness, or with leave of the council, or, directly or indirectly, becomes a party to, or security for, any contract or agreement with the city for the performance of any work or duty, or derives any interest, profit or advantage from such contract or agreement to the extent of fifty dollars, then and in every such case, such person shall thereupon immediately become disqualified and shall cease to hold such office of mayor or alderman, as the case may be, upon resolution to that effect." Case in which office of mayor, &c., becomes vacant.

**5.** Section 23 of the said act is amended by adding after Id., s. 23, the fifth paragraph thereof the following : amended.

"It is the duty of the presiding officer to appoint for each Deputy polling subdivision where a poll is to be held, a deputy returning-officer, to whom is entrusted the holding of such poll." Deputy returning-officer.

**6.** The second paragraph of section 23 of the said act is replaced by the following : Id., s. 23, par. 2, replaced.

"The nomination of candidates for the office of mayor and alderman shall take place at the City Hall of the city of Hull, at the hour of ten in the forenoon, and shall be closed at the hour of eleven in the forenoon of the same day. During such time the city clerk acting as presiding officer, shall nominate for the office of mayor and alderman all persons nominated in writing by at least five electors qualified for each ward respectively in the case of an election of aldermen, and by twenty qualified electors in the case of election of mayor." Nomination of candidates for mayor, &c.

Id., s. 24, amended. **7.** Section 24 of the said act is amended by adding the following paragraph thereto :

Replacement of deputy returning-officer at poll. "The presiding officer may replace temporarily during the voting any deputy returning-officer who is obliged to absent himself from his poll."

Id., s. 62, replaced. **8.** Section 62 of the said act is replaced by the following :

Bars, &c., to be closed on election days. "**62.** No person shall keep open, within the city, any bar, hotel or club, any tavern, shop or store, whether licensed or not, in which spirituous or fermented liquors are ordinarily sold, during the day of the general municipal elections, nor within any ward of the city wherein a poll is to be held for a partial election under penalty of a fine of one hundred dollars and under a like penalty if he sell or give spirituous or fermented liquors to be drunk during the day of voting."

Id., s. 86, amended. **9.** Section 86 of the said act is amended by adding thereto at the end thereof, the following paragraph :

Assistants to city clerk. "The city clerk may name one or more assistants to aid him in the recording of the votes."

Id., s. 135, amended. **10.** Section 135 of the said act is amended by adding the following paragraph thereto :

Opening of front roads, &c. "Order the opening of any front road along the concession lines in any part of the city exclusively used for agricultural purposes."

Id., s. 139, par. 2, replaced. **11.** The second paragraph of section 139 of the said act is replaced by the following :

Distribution of hand-bills, on Sunday. "Prohibit the distribution of printed hand bills or circulars at church doors or in the streets" on Sundays.

Id., s. 147, replaced. **12.** Section 147 of the said act as replaced by the act, 4 Edward VII, chapter 56, section 8, is again replaced by the following :

Order by council to make certain improvements, &c. "**147. a.** Whenever the majority in number of the proprietors or occupants of immoveables in any street or part of a street in the city who are also the proprietors or owners of one-half at least of the total frontage to be affected, shall by a petition addressed to the council, require the making of any improvements whatsoever on or under such street or part of a street, the council may order such improvements to be made, and may regulate the manner of levying and collecting a sufficient assessment to defray the cost thereof on the proprietors who may be interested in such improvements or on all the proprietors or occupants of immoveables opposite to which such improvements may be made.

Signatures to **b.** The signatures to all such petitions shall be attested

by at least one credible witness who was present at the execution thereof and saw the signature affixed thereto. petitions, how attested.

c. Every such petition received and approved of by the council, shall immediately thereafter be examined by the city clerk who shall ascertain and finally determine whether the same is sufficiently signed both with respect to number and extent of frontage, and if found correct, he shall endorse upon or append to it a certificate certifying to the correctness thereof and to the whole value of the property to be assessed for such improvement, according to the valuation roll then in force, and shall forthwith transmit the same to the city engineer for his report thereon. Examination of petition by city clerk, &c. Certificate by city engineer.

d. The city engineer shall proceed at once to ascertain and finally determine what immoveables will be benefited by the proposed improvement, and shall make a measurement of the frontage liable to the assessment for the cost of such improvement, and shall ascertain and determine the proportions in which the assessment of the final cost thereof is to be made on the various proprietors or occupants, as the case may be, and shall make his report to the council. Decision as to what immoveables benefited.

e. The report of the city engineer shall specify: Contents of city engineer's report.

- (1) The character and extent of the proposed improvement;
- (2) The probable lifetime thereof;
- (3) The immoveables immediately benefited thereby;
- (4) The probable cost thereof, apportioning the same between the parties liable therefor;
- (5) A plan of the said improvement;
- (6) The measurement of the frontage liable to the assessment for the cost of the improvement.

f. The report of the city engineer shall be delivered to the city clerk who shall keep the same open for inspection in his office for at least ten days before the final decision of the council. Deposit of report with city clerk, &c.

g. When any immoveable shall be situated on two or more streets or on one or two streets and a public place, the council shall decide what proportion or part of the said immoveable is benefited by the said improvement made in such street or public place, and the city engineer shall govern himself accordingly. Immoveable on different streets.

h. The city clerk shall mail to each of the proprietors or occupants of the immoveables liable to pay such assessments, a notice of the intention of the council to undertake the work, and that a statement showing the immoveables liable to pay the said assessment and the names of the proprietors or occupants as far as they can be ascertained, is filed in his office, and is open for inspection. Such notice shall be so mailed at least six days before the final decision of the council. Notice to proprietors, &c.

expenditure, a certificate of the city treasurer is produced, establishing that  
 &c. there are funds available and at the disposal of the city for the service and purposes for which such expenditure is proposed, in accordance with the provisions of this charter.

Approval of No contract or agreement whatever shall be binding upon  
 contracts, &c. the city, unless it has been approved by the council.  
 by council.

City not The city shall not be liable for the price or value of work  
 liable for cer- done, materials supplied, goods or effects furnished of any kind  
 tain debts whatever, nor for any fees for professional services, salary,  
 unless au- wages or other remuneration, without the special authorization  
 thorized by of the city council, nor unless, in every case, a certificate of the  
 council, &c. city treasurer is produced establishing that there are funds  
 available appropriated for the particular object for which pay-  
 ment is sought ; and no right of action shall exist against the  
 city, unless the foregoing formalities are strictly observed,  
 notwithstanding that the city may have benefited by any such  
 contract, agreement, work done, materials supplied or other  
 services rendered."

Id., s. 409, 20. Section 409 of the said act is amended by adding the  
 amended. following paragraph thereto :

Lands, &c., " 6. All lands and property specially exempted from taxation  
 exempted by by-law of the city council."  
 specially.

Id., s. added 21. The following section is added after section 411 of the  
 after s. 411. said act :

Exemption " 411a. The council may exempt from the payment of  
 from taxes municipal taxes, for a period not exceeding fifteen years, any  
 of certain in- person who carries on or establishes any industry, trade or  
 dustries, &c. enterprise whatever, or agree with such person for a fixed sum  
 of money payable annually for any period not exceeding fifteen  
 years or for a fixed valuation of the said person's property, in  
 commutation of all municipal taxes.

Conditions Such exemption cannot be granted unless previous notice be  
 thereof. given by the person applying therefor, to the council, and the  
 council may make a by-law for the purpose, which by-law  
 must be brought before the council at two different meetings  
 thereof, and when the by-law is agreed to, it shall be equivalent  
 to a contract in favor of the proprietors of the manufactory  
 therein mentioned, their heirs and assigns, for all the time  
 specified in the resolution.

Approval of Any by-law so passed shall not come into force until it shall  
 by-law by have been approved of by the electors who are owners of im-  
 electors. moveable property, in the manner prescribed for such cases by  
 this act."

Id., s. added 22. The following section is inserted in the said act after  
 after s. 442c. section 442c, as enacted by section 23 of the act 61 Victoria,  
 chapter 56:

" **442d.** The collection roll shall contain in separate columns : Contents of  
collection  
roll.

1. The names and quality of each proprietor who is a ratepayer entered on the valuation roll, or the word " unknown " if the proprietor is unknown.

2. The names and qualities of each occupant of taxable immoveables who is not the owner thereof, if such occupant is known whether he is or is not entered upon the valuation roll.

3. The names of every occupant, workman, manufacturer, peddler, company, bank, broker and of every other person liable to be assessed under this act.

4. The actual value of the taxable immoveables of each ratepayer.

5. The value of the property declared taxable by virtue of section 420 and belonging to each ratepayer.

6. The total amount of taxable property of each ratepayer.

7. The amount of taxes payable by each ratepayer."

**23.** Section 459 of the act 56 Victoria, chapter 52, is amended by adding thereto the following paragraph : 56 V., c. 52 s.  
459, amended.

" 6. Every action for the recovery of sums of money due under section 400 of this act." Sums due  
under s. 400,

**24.** The first paragraph of section 463 of the said act is replaced by the following: Id., s. 463,  
par. 1, re-  
placed.

" **463.** The articles contained in chapter LXIV of the Code of Civil Procedure (1284 to 1291) as amended from time to time, which are not incompatible with the present act shall apply *mutatis mutandis* to the Recorder and the Recorder's Court in civil matters." C. P. C., art.  
1284-1291 to  
apply to  
Recorder's  
Court.

**25.** Section 483 of the said act is replaced by the following: Id., s. 483,  
replaced.

" **483.** In all prosecutions instituted before the Recorder's Court or before the Recorder other than civil actions, the provisions of Part xv of the Criminal Code concerning summary convictions before justices of the peace, shall apply to the Recorder's Court and to the Recorder as regards the mode of proceeding on such prosecutions to the final judgment or order ; the execution or carrying out of such conviction, judgment or order, and generally as to all rules imposed upon such justices for such purposes in so far as they are not inconsistent with the provisions of the present act, and where no express provision is made herein in relation to the same." Part XV of  
Criminal  
Code to apply  
in certain  
cases.

The several forms contained in said Code may be varied so as to adapt them to the said court." Variation of  
forms.

Id., s. 486,  
replaced.  
Coercive im-  
prisonment.

**26.** Section 486 of the said act is replaced by the following:

“ **486.** It also has the power to grant coercive imprisonment mentioned in article 834 of the Code of Civil Procedure.”

Coming into  
force.

**27.** This act shall come into force on the day of its sanction.

## CHAP. 89

An Act to amend and consolidate the charter of the town of Westmount and to incorporate it into a city

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS the corporation of the town of Westmount has, by petition, represented that it is necessary to amend and consolidate the several acts constituting its charter, by substituting as a basis the Cities and Towns' Act, 1903, to the law respecting Town Corporations, and to grant it additional powers and incorporate it into a city ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Short title.

**1.** This act may be cited as “ The Charter of the City of Westmount.”

### POWERS

3 Ed. VII, c.  
38, to apply.

**2.** The city of Westmount shall be subject to the provisions of the Cities and Towns' Act, 1903, except in so far as inconsistent with the provisions of this act.

### TRANSITORY

Corporation  
succeeds to  
certain  
rights, &c.

**3.** The corporation shall succeed to all the rights and obligations of the corporation of the town of Westmount.

### CONSTITUTION

Persons in-  
corporated.

**4.** The inhabitants and rate-payers of the town of Westmount and adjoining territory comprised within the limits hereinafter described and set forth, are hereby incorporated into a city corporation under the name of “ City of Westmount.”

Name.



## BOUNDARIES

5. The city of Westmount comprises the territory comprised within the following boundaries : Boundaries  
of city.

Commencing at a point which is formed by the intersection of the centre line of St. Antoine street produced north-easterly and the centre line of Atwater Avenue produced south-easterly, thence running north-westerly parallel to the north-easterly side of Atwater Avenue for a distance of 600 feet more or less to a point where it bends more westerly, thence for a distance of 530 feet more or less and parallel to the south-westerly side of Atwater Avenue to a point where it intersects the centre line of Dorchester street on the east side of Atwater Avenue produced in a south-westerly direction ; thence in a north-easterly direction along the centre line of Dorchester street east of Atwater Avenue for a distance of 236 feet more or less, said point being 164 feet more or less measured from the east boundary of Atwater Avenue, thence in a north-westerly direction in a straight line through official lot 381 across Atwater Avenue, through official lot 378 across St. Catherine street through official lot 377 across Sherbrooke street, through official lot 376, all of the official plan and book of reference of the parish of Montreal for a distance of 3,695 feet more or less where it intersects part of the south-easterly limit of the village of La Côte des Neiges, said point being at a distance of 400 feet more or less measured along said south-easterly boundary of the village of La Côte des Neiges, measured from the north-easterly side of subdivision 46 of official lot 374 ; thence running in a south-westerly direction along the south-easterly boundary of the village of La Côte des Neiges to a point hereinabove described as being on the north-easterly side of subdivision 46 of official lot 374 of said official plan and book of reference of the parish of Montreal, said point being 98 feet more or less measured north-westerly from the north-west side of Montrose Avenue as shown on the said official plan of the town of Westmount ; thence in a north-westerly direction along the north-easterly limit of sub-divisions 46, 50, 51, 55, 58, 59, 66, 73, of official lot 374 and part of the unsubdivided portion of official lot 374 of the said official plan and book of reference of the parish of Montreal for a distance of 1,490 feet more or less to a point where it intersects the line between official lot 165 and 166 of the official plan and book of reference, said line forming the south-easterly boundary of the Montreal Water and Power Company's reservoir property produced, which also forms a common point of boundary between official lots 165, 166 and 374 of the said official plan and book of reference of the parish of Montreal ; thence in a north-easterly direction along the dividing line of said official lots 165 and 166 to a point 460 feet more or less measured along the said line from the

Côte des Neiges road, which forms the south-westerly corner of the property of the Montreal Water and Power Company ; thence in a north-westerly direction along the south-westerly boundary of the property of the Montreal Water and Power Company for a distance of 500 feet more or less to a point where it intersects the westerly boundary of the property of the Montreal Water and Power Company ; thence in a northerly direction along the westerly boundary of the said Montreal Water and Power Company's property for a distance of 187 feet where it intersects the southerly side of the Côte des Neiges road ; thence along the southerly side of the Côte des Neiges road which is bounded by part of official lots 165, 374 and 283 of the said official plan and book of reference of the parish of Montreal in a north-westerly direction for a distance of 1,100 feet more or less ; thence in a south-westerly direction through part of official lot 283 for a distance of 680 feet more or less to a point 540 feet more or less measured from the south-easterly corner of sub-division 339 of official lot 282 of the said official plan and book of reference of the parish of Montreal ; thence in a north-westerly direction for a distance of 320 feet through official lot 283 to a point 640 feet from the south-easterly corner of sub-division 339 of official lot 282 and 518 feet more or less from the north-easterly corner of sub-division 352 of official lot 282 ; thence in a south-westerly direction across official lot 283 and along the north-westerly boundary of sub-divisions 352, 351, 350, 349, 348, 347, 287 and 286 of official lot 282 and part of the south-easterly boundary of official lot 292 of the official plan and book of reference of the parish of Montreal ; thence in a north-westerly direction for a distance of 942 feet more or less (along the north-easterly boundary of sub-division 292 to 310 inclusive of official lot 282 to a point which forms the extreme north-easterly corner of the corporation of Westmount ; thence in a south-westerly direction along the north-westerly boundary of sub-division 310 and 333 of official lot 282, and along official lots 239, 237, subdivisions 8 and 17 of official lot 222 for a distance of 1,790 feet more or less to a point where it intersects the line between official lots 221 and 222 ; thence in a southerly direction forming the north-westerly boundary of official lot 221 of the official plan and book of reference of the parish of Montreal, a distance of 330 feet more or less to a point measured 40 feet more or less north-westerly along the south-westerly boundary of said official lot 221 ; thence in a south-easterly direction along the line produced between official lots 218 and 221 of the official plan and book of reference of the parish of Montreal, a distance of 960 feet more or less to a point on the south-westerly boundary of sub-division 113 of official lot 221, said point being 30 feet more or less measured north-westerly from the south-westerly corner of said sub-division ; thence in a south-westerly direction along

the north-westerly boundary of sub-divisions 214, 160, 55, 53, of official lot 218 and sub-divisions 56 and 54 of official lot 217 to a point which forms the north-west corner of sub-division 54 of official lot 217 of the official plan and book of reference of the parish of Montreal, a total distance of 875 feet more or less ; thence in a south-easterly direction along the rear of sub-divisions 54 to 26 inclusive and part of 25 of official lot 217, a distance of 1,475 feet more or less to a point 20 feet more or less measured from the south-westerly corner of sub-division 25 of official lot 217 in a north-westerly direction ; thence in a south-westerly direction for a distance of 880 feet more or less across the north-westerly boundary of official lots 213, 212, 203 and the northerly boundary of Claremont Avenue as presently existing and official lot 204 and terminating at the north-westerly corner of said official lot 204 as indicated on the official plan of the town of Westmount where it forms a common intersection between the municipalities of Notre-Dame de Grâces and Côte des Neiges and the corporation of Westmount ; thence in a south-westerly direction through or along official lots 204, 205, 206, 207 to a point 110 feet more or less measured along said official boundary southerly from where it intersects the south-easterly side of Sherbrooke street having a total distance of 2,730 feet more or less ; thence in a north-easterly direction for a distance of 187 feet more or less to a point where it intersects the south-westerly boundary of Claremont Avenue, said point being at a distance of 90 feet more or less measured along the said south-westerly boundary of Claremont Avenue from the north-east corner of Sherbrooke street and Claremont Avenue ; thence along the south-westerly boundary of Claremont Avenue produced southerly to a point 825 feet more or less measured along said production from the south-easterly side of York Avenue having a total distance of 1,980 feet more or less ; thence in a north-easterly by easterly direction through or forming the south-easterly boundary of official lots 1657, 1634 and 1632 of the official plan and book of reference of the parish of Montreal where it intersects the south-westerly side of Bethune street and continuing in the same direction along the south-easterly side of sub-division 154 of official lot 1,434, south-easterly and along the boundary line of sub-divisions 153 to 143 inclusive of official lot 1,434 of said official plan and book of reference of the parish of Montreal and along the southerly boundaries of sub-division 6 of official lot 142, sub-division 5 of official lot 141, sub-division 6 of official lot 140, sub-division 139 of official lot 1,434, sub-division 6 of official lot 133, sub-division 5 of official lot 138, sub-division 5 of official lot 137, sub-division 5 of official lot 136, sub-division 8 of official lot 135, sub-division 3 of official lot 134, sub-division 3 of official lot 133, sub-division 3 of official lot 132, sub-division 3 of official lot 131, sub-division 3 of official lot 130, sub-division 3 of

official lot 129, sub-division 3 of official lot 128, sub-division 4 of official lot 127, sub-division 4 of official lot 126, sub-division 4 of official lot 125, sub-division 3 of official lot 124, sub-division 3 of official lot 123, sub-division 3 of official lot 122, sub-division 3 of official lot 121, sub-division 3 of official lot 120, sub-division 5 of official lot 120, sub-division 5 of official lot 119, sub-division 5 of official lot 118, sub-division 5 of official lot 117, sub-division 6 of official lot 116, sub-division 115 of official lot 1,434, re-subdivision 2 of sub-division 114 of official lot 1,434, re-subdivision 1 of sub-division 114 of official lot 1,434, sub-division 5 of official lot 1,408, sub-division 6 of official lot 1,408, official lots 1409, 1410, 1411, 1412, 1413, 1414 and sub-divisions 9 to 17 inclusive of official lot 1,414 and sub-divisions 27 to 46 of official lot 1,415 and terminating at a point where it intersects the centre line of Hallowell street, said point being 87 feet more or less from the south-easterly side of Selby street measured along centre line of Hallowell street ; thence south-easterly along centre line of Hallowell street, a distance of 300 feet more or less to the centre line of St. Antoine street ; thence in a north-easterly direction along the centre line of St. Antoine street, a distance of 1,665 feet more or less to the place of beginning, being the intersection of centre line of St. Antoine street with the centre line of Atwater Avenue produced southerly.

All measures are English measures and more or less.

#### WARDS

**Wards.**        **6.** The city shall be divided into four wards known as numbers 1, 2, 3, 4, bounded as follows :

**First ward.**    *First ward.*—Bounded towards the north-west, north-east and south-east by the city limits, to the south-west by the centre line of Hallowell street, from the south-east limit to the centre line of St. Catherine street ; thence eastwards along the line of said St. Catherine street to the centre line of Olivier Avenue to the centre line of Sherbrooke street ; thence westward along the centre line of said Sherbrooke street to the centre line of Mountain Avenue ; thence northwards along the centre line of the said Mountain Avenue to the Boulevard ; thence continuing still in the same direction along the north-east limit of lot official number 322 and of lot official number 323 and along the division line between lots official numbers 284 and 324 produced up to the north-west limit of the city.

**Second ward.**    *Second ward.*—Bounded towards the north-west and south-east, by the city limits, towards the north-east by the preceding wards, and towards the south-west by the centre line of Metcalfe Avenue as projected from the south-east limits of the city to Hillside Avenue ; thence along the centre line of

said Metcalfe Avenue as now existing from Dorchester street to the centre line of Côte St. Antoine road ; thence eastwards along the centre line of said Côte St. Antoine road to the south-west side of Churchill Avenue; thence northwards along the south-west side of said Churchill Avenue and the division line between lots official numbers 239 and 282 up to the north-west limit of the city.

*Third ward.*—Bounded towards the north-west and south-east by the city limits, towards the north-east by the preceding ward and towards the south-west by the centre line of Bethune street and Lansdowne Avenue, from the south-east limit northwards to the centre line of Côte St. Antoine road to the south-west side of Belmont Avenue ; thence northwards along the south-west side of the said Belmont Avenue to the Boulevard ; thence still continuing in the same direction along the north-east boundary of lot official number 221 up to the north-west limits of the city. Third ward.

*Fourth ward.*—Bounded towards the north-west, south-east and south-west by the city limits and towards the north-east by the preceding ward. Fourth ward

#### ANNEXATION

**7.** Article 32 of the Cities and Towns' Act 1903 is replaced, 3 Ed. VII, c. 38, s. 32,  
for the city, by the following : replaced for city.

**" 32.** It shall be lawful for the council of the municipality by the affirmative vote of the absolute majority of its members, to make by-laws to extend the limits of the municipality, by annexing thereto for municipal purposes any contiguous city, town, village or municipality or part thereof. Annexation by-laws.

Every such by-law shall contain a complete description of the territory to be annexed, set forth the terms and conditions upon which it shall be so annexed, and determine whether the territory so annexed shall form a ward by itself, or be wholly or in part annexed to any existing ward or wards of the municipality. Contents thereof.

Every such by-law must be sanctioned by the electors who are proprietors in the manner set forth for loan by-laws." Sanction thereof.

**8.** Article 33 of the Cities and Towns' Act, 1903, is replaced, Id., s. 33,  
for the city, by the following : replaced for city.

**" 33.** 1. Before the third reading and final passing thereof by the city council, such by-law must be approved of by the council of the municipality affected thereby, and be sanctioned by the electors who are proprietors in the said municipality or part of a municipality, as the case may be, in the manner set forth in the following provisions. Approval by council of other municipality, &c.

Submission  
to rate-  
payers of  
other muni-  
cipality in  
certain cases.

2. If the council of the municipality interested refuses or fails within one month after the second reading of such by-law to approve or disapprove the same, or if it disapproves the same, then the city council may nevertheless at the request of at least one-fifth of the proprietors who are electors in said municipality, order by resolution that the by-law be submitted to the electors of the said municipality who are proprietors so that it may be taken into consideration as indicated in the following provisions.

Application  
therefor, how  
made.

3. Such application shall be made by a petition signed by the aforesaid number of proprietors who are electors in the presence of a witness who shall, by his affidavit, attest the authenticity of each of said signatures."

#### COUNCIL

Aldermen.

9. The number of aldermen shall be two for each ward.

First council.

10. The present mayor and councillors of the town of Westmount shall constitute the first council of the city of Westmount.

Term of  
office of first  
council.

11. The members of the above described first council of the city of Westmount shall remain in office until the third Monday of January 1909 or the following day should Monday be a non-judicial day, when the first general election shall be held.

First meeting  
of first elect-  
ed council.

12. The first meeting of the council so elected shall be held in the city hall.

#### CITY SURVEYOR

City sur-  
veyor.

13. The city shall have an officer to superintend the construction and maintenance of sewers, roads and sidewalks, parks and buildings and municipal work generally, and make plans and maps showing the same, styled "city surveyor," whose office shall be in the building where the sessions of council are held or any other place fixed by resolution of council.

Exercises  
functions of  
building, &c.,  
inspector, &c.

14. He may also exercise with the approval of council, the functions of building and plumbing inspector and exercise the powers which the council may delegate to him by by-law or resolution respecting buildings and plumbing.

Is custodian  
of municipal  
plans, &c.

15. Notwithstanding section 83 of the Cities and Towns' Act, 1903, he shall have the custody of all municipal plans, maps, books and registers and other documents and papers prepared or kept by him or required in the discharge of his office

and shall have the right of signing all plans, maps, documents and papers prepared by him, and all copies and extracts of plans, maps, books, registers and other documents and papers certified by him shall be evidence of their contents.

**16.** Paragraph 2 of article 107 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 107, par. 2, replaced for city.

"2. Minors and interdicted persons to whom a curator or judicial adviser has been appointed."

**17.** Article 157 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 157, replaced for city.

"**157.** The general elections for mayor and aldermen of the municipality are held every two years, on the third Monday of January, or the following day should such Monday be a non-judicial day in accordance with the provisions hereinafter contained." Date of general elections.

**18.** Article 159 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 159, replaced for city.

"**159.** Ten days at least before the second Monday in January, at noon, in the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk." Appointment of election clerk, &c.

**19.** The first paragraph of article 163 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 163, amended for city.

"**163.** Eight days at least before the second Monday of January in the year in which a general election is to be held, the returning-officer shall give public notice, in the form G under his signature setting forth:" Public notice of general election.

**20.** Article 165 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 165, replaced for city.

"**165.** The nomination of candidates at a general election is held on the second Monday of January, from noon to two o'clock in the afternoon. If such day be a holiday, it is held on the first juridical day following such date, also from noon to two of the clock in the afternoon." Nomination of candidates.

**21.** Article 178 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 178, replaced for city.

"**178.** If more candidates are nominated for any of the said offices than are required, it shall be the duty of the re- Poll.

turning-officer to grant a poll, but no person shall be elected who shall not have been nominated in the manner hereinafter provided.

Poll where held.

The poll shall be held at the city hall, unless the council has previously to the notices of election resolved to have a polling station or stations in each ward.

3 Ed. VII, c. 38, not to apply to polls.

Unless the council so decides, the provisions of the Cities and Towns' Act, 1903, respecting polls in each voting division shall not apply."

Id., s. 195, replaced for city.  
Hours for polling.

**22.** Article 195 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

"**195.** The polls shall be opened from eight o'clock in the morning and kept open until eight o'clock in the afternoon of the same day, and during that time the officer in charge of any poll is obliged to receive in the manner hereinafter set forth the votes of any electors entitled to vote at such poll."

Id., s. 310, replaced for city.

**23.** Article 310 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Mayor presides over council, &c.

"**310.** The mayor presides over all sessions of council and has the casting vote in case of equality of votes except when the vote of the absolute majority or a given proportion of the council is required, when he shall vote with the councillors besides giving his casting vote if need be. Should the mayor and acting mayor be absent from any session, the council chooses another of its members to preside.

President when mayor absent, &c.

The acting mayor or any member presiding over a session of the council, has the right to vote and may also give the casting vote in addition thereto."

Id., s. 319, replaced for city.

**24.** Article 319 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Certificate of publication of notice, &c.

"**319.** The original of every notice is accompanied by a certificate of publication or of service, made by the person publishing or serving the same.

Filing of notices, &c.

The original of such notice and the certificate which accompanies it are filed in the office of the council, by the person who has given the notice, to form part of the municipal archives.

Special notice how addressed.

A special notice may be addressed to several persons and a certificate of service may refer to more than one service and in no case shall a separate certificate of service be required for each service."

Id., s. 360, replaced for city.

**25.** Article 360 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :



**" 360.** The poll is held during one day between the hours of 8 a.m., and 8 p.m., and the clerk may appoint and swear in a sufficient number of assistants to help him in receiving the votes."

**26.** Article 363 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 363.** No one is allowed to vote; unless his name appears on the valuation roll in force or on the list of electors if there be one, as a municipal elector as owner of immoveable property. In this case, it is not necessary that such electors have paid their school and municipal taxes.

Nevertheless, tutors, curators, institutes under substitution, administrators or duly authorized agents of estates, corporations, or non-resident proprietors who are seized, possessed or in charge of any immoveables in the city, shall have the right to vote provided they possess the other qualifications to be municipal electors. Such voters, however, shall exhibit before voting the documents establishing the office which qualifies them under this paragraph or the authorization of the person whom they represent ; provided that when the property is represented by more than one administrator, trustee, agent or person acting in a fiduciary capacity the authority of the voter to act for the majority, shall be established by documents and in the case of corporations and joint stock companies by a resolution of the administrative council or board."

**27.** Article 382 of the Cities and Towns' Act, 1903, is amended, for the city, by adding thereto the following paragraph :

**" 3.** To authorize the officers of the council upon the establishment by a competent court of the contravention and its authorization to thus act to demolish or undo at the expense of the contravening party any construction, erection or thing erected or done in contravention of any by-law,"

**28.** Paragraph 1, of article 383, of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 383.** 1. To regulate the height, construction and materials of all buildings, chimneys, stacks and other structures ; to prevent the construction of such as are not of the required stability, and provide for their summary abatement or destruction ; to prescribe the depth of cellars and basements, the material and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partition and outside walls, the size

and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus ; to regulate the architecture, dimensions and symmetry of buildings in certain streets ; to determine the kind of buildings, whether stores or houses, detached, semi-detached, flat, tenement or apartment houses, solid stone or brick veneered buildings to be erected on certain streets and prevent the erection thereon of any building of a different class ; to compel the proprietors to submit the plans thereof to, and previously obtain a certificate in writing from the building inspector or any other officer ; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension at any time of the erection of any such building as does not conform to such regulations, and to cause the demolition of any buildings not conforming to such by-laws, if necessary."

Id., s. 383, amended for city. **29.** Paragraph 13 of article 383 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following:

Licensing of dogs, &c. " 13. To license and regulate the keeping of dogs ; to muzzle dogs ; to prevent dogs from running at large, and to authorize the summary destruction thereof ;

Additional dogs. Such license may be on an increasing scale for each additional dog kept in any household".

Id., s. 385, amended for city. **30.** Article 385 of the Cities and Towns' Act, 1903, is amended, for the city by adding thereto the following paragraph :

Prohibition &c., of liquor selling. " 13. To prohibit or to restrict and regulate the sale of any malt, spirituous, vinous, alcoholic, or intoxicating liquors within the limits of the city, and to fix a sum of not more than \$200.00 for the granting of each certificate to obtain a license authorizing the sale of the same in the city."

Id., s. 386, amended for city. **31.** Article 386 of the Cities and Towns' Act, 1903, is amended, for the city, by adding thereto the following paragraphs:

Closing streets, &c. " 33. To close any street or section of street or public square and to sell the land for the benefit of the city ; provided always that if any person suffers damage thereby he shall receive compensation to be settled by arbitration.

Sweeping streets, &c. " 34. To have the streets and sidewalks swept, watered and kept in good order and to have the snow removed therefrom at the expense of the corporation.

Keeping lanes, &c., clean, &c. " 35. To make any regulations that may be necessary to compel the proprietors of private lanes in the city to keep the same clean and in a good sanitary state and in proper repair, and assess the owners or occupants of such lanes with the cost thereof if done by the council in their default ; and

to provide for the paving with stone or asphalt or other permanent material of any private lane in the city and assess the same on each proprietor in each lane according to frontage,—the assessment roll in such cases to be prepared by the secretary-treasurer and the amounts to be collected in the same manner as other special assessments are collected.

"36. To prevent the erection of terraces or rows of houses in the city above the level of Montrose Avenue, in order to preserve the natural beauties of the situation, and regulate the class of houses to be erected in that locality."

Preventing  
erection of  
terraces, &c.,  
above Mont-  
rose Ave.

**32.** The city may open to the public any new street, highway, public place or square shown on the homologated plan or maps of the city, and also may widen any of the streets, public places or squares thereon indicated as to be widened, after having adopted the formalities and procedure relative to expropriation and the levying of special assessments ; and the said city shall be bound so to do, within one year from being thereto requested by a petition presented to the council, signed by such number of proprietors as own more than one half of the aggregate frontage on any of such new streets, highways, public places or squares, or section or sections thereof, as shown on the said plans, places or maps, or by those representing, administering or being interested in the said aggregate frontage, whether as tutors, administrators, guardians, institutes under substitution, curators, trustees or the like, and, in any event, the corporation shall be bound to expropriate the property within three years from the homologation of the plan, otherwise the proprietor shall not be bound by the plan.

Opening, &c.,  
of streets, &c.

**33.** Article 423 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Id., s. 423,  
replaced for  
city.

" **423.** 1. To establish, regulate and manage public abattoirs either within or without the limits of the municipality ; provided in the latter case, that the municipality obtains the consent of the council of the municipality in which it wishes to establish such abattoirs ; and to prohibit the establishment of private abattoirs in the municipality, and to regulate and inspect the same ;

Establishing,  
&c., public  
abattoirs, &c.

2. To regulate the manner and route in and by which horned cattle and other animals shall be driven in the municipality and the destination of cattle intended for slaughter ;

Regulating  
driving of  
cattle, &c.

3. To restrain, regulate and prohibit any person from maintaining, using or keeping a slaughter-house in the city."

Regulating,  
&c., slaugh-  
ter-houses.

**34.** Article 426 of the Cities and Towns' Act, 1903, is Id., s. 426,

amended for city. amended, for the city, by adding thereto the following paragraph :

Registration of births, &c. " 9. To compel the registration of births by such person and at such place and time and with such particulars and details as the council may determine."

Id., s. 410, amended for city. **35.** Article 410 of the Cities and Towns' Act, 1903, is amended for the city, by adding thereto the following paragraphs:

Certain agreements with certain company authorized, &c. "The council may enter into such agreements with the Montreal Water and Power Company, its successors or assigns, as it may, think necessary in the public interest, for the purpose of performing the works and supplying the materials which may be required for extending the water-works of the company, and supplying water to residents in the new streets of the city, and in such parts thereof where there is at present no water supply, in such manner and under such conditions as it may deem fit, and the corporation shall remain the owner thereof; and such works shall not be deemed to form part of the company's general system of water-works with respect to the said company and to its privileged hypothecary or chirographic creditors.

Special arrangements with city of Montreal, &c. The council of the city may make special arrangements for a determined period with the city of Montreal, or with any other municipality or municipalities on the Island of Montreal, or any company or companies, person or persons, for the supply of water for the city, or any part thereof; and such special agreements may be validly entered into by the city and by the said municipalities, or any of them, whether or not the works done for that purpose are so done at the joint expense or become the joint property of two or more of the parties to said agreement.

Assistance to contractor : The city and the said municipalities, or any of them, may assist the contractor in any agreement for the supply of water as aforesaid:

By exemption from taxes. 1. By exempting the said company from the payment of municipal assessments and dues, for such time as the councils of such municipalities may determine;

By acquiring existing water-works system, &c. 2. By acquiring on such terms as the council of the said city, or the councils of the said municipalities respectively or any of them, may deem advisable, the water-works or water systems already existing in the said municipalities, or any of them, or any part or parts thereof, as well as any extensions thereof which may thereafter be made in the said municipalities or any of them. And the said corporations, and any one or more thereof, are authorized to so acquire, own and possess the said water-works or systems or any portions thereof, whether the same be within the limits of the municipality

so acquiring the said water-works or not and to use the same for the purpose or supplying water to the said municipalities, or any of them and to the inhabitants thereof respectively;

3. The provisions governing loan by-laws shall apply to any by-law to be passed in connection with the supply of water referred to in the present section or whenever the agreement is for a period exceeding nine years or contains any provisions affecting the interest of the city or its inhabitants for more than nine years, Provisions re loan by-laws to apply in certain cases.

The provisions governing loan by-laws shall also apply to any agreement respecting street railways, telephones, the supply of light, power or any other public utility whatever, whenever such agreement is for a period exceeding nine years or contains any provisions affecting the interest of the city or its inhabitants for more than nine years." And in certain other cases.

**36.** The council may make, amend and repeal by-laws : By-laws :

1. To license, regulate and inspect plumbing and determine the materials and appliances to be used and the way the work shall be done in connection with said branch of sanitary engineering. To license, &c., plumbing, &c.

2. To license, control and regulate the collection of rags and waste material and to prohibit the storage thereof. License, &c., rag collecting, &c.

3. To determine the way the signature of the city's officials including the mayor, the clerk, the treasurer or secretary-treasurer shall be affixed to certificates and notices and all documents generally requiring their signature, and to authorize the affixing of any such signature by means of a stamp or a lithographed *fac-simile* ; Signature of mayor, &c.

4. To control and regulate the locality in which any hospital or other like institution may be erected or kept; to require a special permit for the erection or keeping thereof, and, in special cases to be determined by resolution of three-fourths of the whole council, to prohibit the erection or keeping of any particular hospital or other like institution. Locality of hospitals, &c.

**37.** The council may by a vote of three-fourths of its members make, amend and repeal by-laws; Further by-laws.

1. To prohibit or regulate hereafter the erection, use or employment of steam-engines or boilers in the city, or in any particular locality thereof. Prohibition, &c., of steam-engines.

The power to prohibit granted in this paragraph shall not apply to railway, water-works or electric companies.

2. To regulate or restrict the posting, painting, erection or other display and maintenance of advertisements of any description on the fences, buildings or otherwise within the city and to prohibit them, except those made by a trader at his Regulation, &c., of posting, &c.

place of business and for the purposes of his business, and those made for leasing and selling real estate, and those that the Montreal Baseball Association may allow on its fence under the above restrictions during the term of their present lease.

Establishment of building lines, &c.

3. To establish building lines on the lands abutting on any street, road, avenue, alley, park or lane within the said city, between which lines and such street, road, avenue, highway, alley, park or lane, no building or part of a building or construction or erection of any kind (saving such exceptions as the by-law may permit, for particular streets for which local conditions may render the same necessary) shall be set up or erected.

Id., s. 440, replaced for city.

Valuation by assessors.

**38.** Article 440 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **440.** It is the duty of the assessors annually to make, at the time and in the manner ordered by the council, the valuation of the taxable property of the municipality, according to the real value.

Valuation roll every three years, &c.

The council may, by resolution, relieve the assessors from the duty of making a valuation roll of the taxable property oftener than every three years; and, in such case, the council shall revise the roll every year or cause it to be revised by the assessors as it deems expedient, with the same notices and delays as for the making of the yearly valuation roll.

Estimate of annual value.

The assessors shall also make the valuation of the annual value of such property, and enter it in the roll in a separate column.

Names of tenants, &c., in rolls.

Valuation of lands, irrespective of buildings, &c.

They shall also enter in the roll the names of tenants and the amount of the yearly rent paid by each of them.

The valuers shall annually, when making the valuation roll, make a valuation of the taxable immoveable property, irrespective of the buildings thereon erected, and enter the same in a separate column ; and such valuation shall be the basis on which any special tax ordered to be levied on such valuation shall be made."

Id., s. 445, replaced for city.

Valuation of undivided property, &c.

**39.** Article 445 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

" **445.** When the assessors assess immoveable property possessed in undivided shares or the partition whereof has not been registered in the registry office, it shall be lawful for them to designate such property as belonging to " the estate of " mentioning the name of the predecessor of the interested parties, or the name of one of the co-proprietors thereof ; and the co-heirs, in the case of a succession, or co-proprietor, so named, as the case may be, shall be held

to pay the tax, saving their or his recourse against any other person liable therefor; and when they assess flats or super-imposed dwellings, separately owned but built upon one lot or parcel of land, and constructions in or upon streets or other public property, it shall not be necessary for the assessors to mention the cadastral number of lands occupied thereby.

**40.** Article 471 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 471.** Municipal taxes and the compensation due the city for water, light and meters and interest due thereon, are privileged claims exempt from the formality of registration."

**41.** Section 2 of article 473 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 2.** The proprietors, lessees and occupants of the property mentioned in paragraphs *c*, *d* and *e* shall nevertheless be subject to the works required for the opening and maintenance of streets, and water-courses, the construction and maintenance of sewers and sidewalks and public lighting under the by-laws, and shall be liable for the payment of any special tax or assessment made for that purpose, as well as for the payment for the use of water."

**42.** Article 482 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 482.** Every tax imposed by virtue of the foregoing provisions is payable annually and at the time fixed by the by-laws. And a discount may be allowed for the prepayment thereof and of the price of anything sold by the corporation."

**43.** Article 487 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 487.** Municipal taxes, imposed on any immoveable may be collected from the tenant, occupant or other possessor of such immoveable as well as from the owner thereof, or from any subsequent acquirer of such immoveable, even when such tenant, occupant, possessor or acquirer is not entered on the valuation roll."

**44.** Article 518 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

**" 518.** Subject to articles 4643*d* and following of the Revised Statutes, the council may, by a resolution, exempt from municipal taxes, for a period not exceeding twenty years, any person who carries on any industry, trade or enterprise whatsoever, or agree with such person for a fixed sum of money,

payable annually, for any period not exceeding twenty years in commutation of all municipal taxes.

Exemption  
of poor.

It may exempt the poor of the municipality from the payment of taxes.

Restriction  
of exemp-  
tions, &c.

The exemption or agreements authorized by this article shall not extend to work upon water-courses, boundary ditches, fences, drains, sidewalks, or roads connected with taxable property so exempted or commuted.

Exemption  
of certain  
property.

Nevertheless when a proprietor cedes, gratuitously, to the city any land for a street traversing his property, the remainder of the property fronting on the new street may be, by resolution of the council, exempted, in whole or in part, from the apportionment necessitated by the opening of such street ; provided that the part so exempted has a depth of not more than one hundred and fifty feet."

Proviso.

Id., s. 521,  
replaced for  
city.  
Investment  
of sinking  
fund.

**45.** Article 521 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Proviso.

" **521.** The sinking fund must be invested in the public funds of the Dominion or of the Province, or on first hypothec to an amount not exceeding one-half the value of the property mortgaged as appears by the municipal valuation roll ; provided that provision be made for the insurance of the property so mortgaged, to be taken in the name of the municipality and at the expense of the borrower to an amount of not less than one-half of the value of the property so insured, or be employed in the redemption of bonds issued by the corporation, or pledged or authorized to be issued by by-laws approved and sanctioned according to law, in which case the bonds so redeemed shall be destroyed and a *procès-verbal* of the operation entered in the books of the corporation, or be deposited in an incorporated bank.

Deposit of  
sinking fund.

The council may, if the lenders consent to or require it, deposit in their hands the sums intended for the sinking funds.

Receipt  
therefor.

In such case, the receipts given to the council shall be so drawn as to define what amount has been paid for interest, and what amount for the sinking fund."

Id., s. 522,  
replaced  
for city.

**46.** Article 522, of the Cities and Towns' Act, 1903, is replaced, for the city, by the following :

Borrowing,  
bonds, &c.

" **522.** The council may borrow by an issue of bonds, obligations or debentures signed by the mayor, and countersigned by the clerk and bearing the seal of the corporation.

Bonds, &c.,  
how payable.

Such bonds, obligations or debentures shall be made payable to bearer, at the periods fixed by the council, with interest payable on the first days of the months of May and November in each year, at any rate of interest not exceeding the legal rate, and may, until disposed of finally, be pledged and repledged should



the market be deemed unfavorable, without their validity being affected thereby. This provision shall apply to debentures of the heretofore town of Westmount."

**47.** Article 533 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 533,  
replaced for  
city.

" **533.** The council may also, by complying with the provisions of this act respecting expropriations, expropriate the whole or any part of any macadamized or stoned road in the municipality belonging to one or more companies, or make any agreements with such companies or with trustees of turn-pike roads, concerning roads belonging to or maintained by them, either by allowing an annual grant or upon other terms and conditions as the council may by by-law determine ; and all such companies or trustees, notwithstanding any law or statutes to the contrary, may validly enter into such agreements with the city. All the powers of the city respecting roads and the levying of the amounts expended thereon shall apply to all roads of which the city may acquire control as above, just as if they had been purchased outright." Expropriation  
of certain  
roads,

**48.** Article 538 of the Cities and Towns' Act, 1903, is replaced, for the city, by the following : Id., s. 538,  
replaced for  
city.

" **538.** In case one of the parties after five days notice fails to agree upon a price or to name his arbitrator, a judge of the Superior Court, upon petition to that effect, of which five days has been given to the party in default, names one person who acts as sole arbitrator to determine the amount of the indemnity." Sole arbitra-  
tor appointed  
by court.

**49.** The following articles are added for the city after article 542 of the Cities and Towns' Act, 1903: Id., as added  
after s. 542.

" **542a.** Before proceeding, the arbitrators shall be sworn before a justice of the peace for the district of Montreal or the secretary-treasurer of the council, to faithfully and impartially perform the duties of their office. Swearing of  
arbitrators.

" **542b.** At their first meeting, the arbitrators, or sole arbitrator, may name a secretary, whose duties shall be to keep a record of the minutes of all the proceedings, which shall be signed by the arbitrators at the end of each sitting or at the following sitting. Secretary of  
arbitrators.

" **542c.** The emoluments of such secretary are fixed by the arbitrators, and shall form part of the costs of the arbitration. His emolu-  
ments.

" **542d.** No defect of form shall annul the award of the arbitrators, if all the requirements of the law have been fulfilled. Award not  
void for de-

fect of form, filled, and if the award determined, clearly and concisely, the  
&c. amount awarded and the lands, rights, buildings and other things for which such an amount is an indemnity.

Beneficiary " 542e. It is not necessary that the person to whom the  
need not be amount should be paid be named in the award.  
named.

Payment of " 542f. The arbitrators may decide which party shall pay  
costs of arbi- the costs or a proportion of the costs of the arbitration, and  
tration. also on the amount of remuneration each arbitrator shall  
receive, which remuneration shall not exceed ten dollars per  
day.

Replacing of " 542g. In case any arbitrator appointed under any of the  
arbitrator, provisions of this act, or any commissioner appointed previous  
&c. to the passing of this act, dies or is disqualified, refuses or is  
unable to act, the Superior Court, or any one of the judges of  
the court, as the case may be, shall, upon a summary petition  
to that effect, to be presented by the city council, replace  
such arbitrator or commissioner by another competent and  
disinterested arbitrator or commissioner, upon whom the said  
office shall be binding, in the same manner as upon his prede-  
cessor.

Expropriation notices. " 542h. Any notice to be given in connection with expro-  
priation proceedings shall be served in the manner provided  
for special notices."

#### IMPROVEMENTS

Special as- " 50. Notwithstanding anything contained in the Cities and  
sessments for Towns' Act, 1903, the council may, from time to time, make,  
improve- amend and repeal by-laws to raise, by special assessment or  
ments. assessments or otherwise, money sufficient to defray the cost  
of improvements and works mentioned in paragraphs 21, 22,  
23, 26 and 29 of article 384 and in articles 386, 391, 392 and  
429 of the said act, and to carry out and complete the said works  
or any or all of them, provided that any such by-law is approved  
by the vote of the absolute majority of the whole council.  
But every such by-law involving an estimated expense of over  
five thousand dollars, except by-laws respecting the construction  
of drains or sewers and the paving or macadamising of streets  
or roads, must be approved by the majority in number and  
value of the proprietors subject to be assessed for such im-  
provement, and who at the time fixed actually cast their votes  
for or against any such by-law, and such votes shall be taken  
in the manner and subject to the procedure for the approval  
of loans.

**51.** In and by any by-law passed in virtue of the foregoing section it may be declared and ordered that the costs of any such improvements and works shall be borne and paid by the owners of real estate, situate on each side of such street, road, avenue, boulevard, lane or alley, public way or place, or any section or sections thereof, by means of a special assessment made, laid or levied upon the said owners of real estate according to the frontage of such properties, when such improvements are made, saving nevertheless the council declaring by resolution passed by two-thirds of the members of the whole council, that the said fronting properties shall be assessed only for a certain proportion or percentage of the cost of any such improvements, in the manner hereinafter set forth.

Costs of im-  
provements  
by whom  
borne.

Assessment  
therefor, &c.,

Such frontage rate may be greater or less upon one side of the street, avenue, boulevard, lane, alley, public way or place, than upon the other side and may be imposed either at a uniform or varying rate and either upon the properties fronting upon the improved portion or upon the whole or part of the length of the existing street, avenue, or road.

Frontage  
rate, &c.

**52.** The council may by vote of the absolute majority of its members declare and order in any such by-law or by resolution that only a proportion or percentage of the costs of such improvements, or any or all of them, shall be borne and paid for by the properties situated and fronting on the said streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, and in that event the secretary-treasurer or clerk shall give special notice, addressed by registered letter through the post office, to each person in whose name any of such fronting properties were last assessed, to his actual or last known domicile, and shall in such notice indicate the nature of the improvement, and the amount or percentage of the cost thereof to be assessed on the fronting properties, within ten days from the passing of such by-law or resolution.

By-laws to  
relieve front-  
ing properties  
from part of  
costs, &c.

Notice  
thereof, &c.

**53.** In the event of a petition, objecting to the whole or such proportion or percentage of the costs being assessed on such fronting properties, being presented to the council within thirty days of the passing of such by-law or resolution, signed by the majority of the proprietors, tutors, administrators, guardians, curators, institutes under substitution, trustees and the like, assessed for, possessed of, interested in, or owning such fronting properties on any of the said streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, then the amount or percentage of the costs of any of such improvements to be borne and assessed by such fronting properties shall be determined by arbitration ; the

Arbitration  
as to part of  
cost to be  
borne by  
fronting  
properties,  
&c.

arbitrators to be appointed in the manner and according to the procedure herein prescribed for expropriation, as far as can be made applicable, save and except that the petitioners shall be bound to name and appoint, in and by their petition, one arbitrator to act on their joint behalf in the said arbitration.

Award of arbitrators, final, &c.

**54.** The award of the arbitrator or arbitrators or a majority of them shall be final and not subject to appeal, and shall form the basis of the assessment to be levied on such fronting properties.

Costs of arbitration, &c.

**55.** If the whole amount or a proportion or percentage to be assessed on the fronting properties is not diminished by the award of the arbitrators, the cost of the arbitration shall be assessed on the fronting properties, the owners whereof have made objection as aforesaid, at a uniform rate per frontage by addition thereof to their frontage charge; otherwise the cost of the arbitration shall form part of the costs of such improvements.

Proceedings pending appeal.

**56.** Pending the decision of the arbitrators, the council may proceed with the said improvements or any or all of them.

Certain costs to be borne by city, &c.

**57.** The balance or remainder of the cost of all or any of such improvements, over and above the proportion to be borne, as aforesaid, by the fronting proprietors according to frontage, shall be borne by the city and paid for from the moneys provided by the sale of the bonds or debentures of the city, that have been or may be issued, from time to time, for the purposes of such improvements and, to enable the city to meet the payment of interest and sinking fund upon the portion of its loans so used, a special annual tax sufficient to provide for said payments, may be imposed and levied by the council; and said tax shall be based on the valuation of the lands only, irrespective of the buildings thereon erected.

Mode of carrying out improvements, &c.

**58.** The council may determine the mode, method and manner in which the said improvements, or all or any of them, are to be made and carried out, and the manner of laying, levying and collecting such special assessment or assessments, making the award of the arbitrators the basis of assessing fronting properties, in the event of their proportion of the costs of any such improvements being diminished as aforesaid.

Making of assessments &c

**59.** Such assessment shall be made, levied and collected at such time or times as may be ordered by the council, and it may order that the costs incurred in making any such improvements be levied and collected at once or by instalments during a certain number of years.

Such assessment, if the total costs of the improvements be spread over a certain number of years, may include interest on forborne payments.

Assessment to include certain interest.

**60.** The secretary-treasurer or clerk as soon as the accounts of the costs of making and carrying out the improvements and all expenses connected therewith shall have been sent in and approved by the council, shall himself, within a delay to be fixed by the council, make a special roll for the assessment and apportionment of the costs of such improvements.

Special assessment roll, &c.

**61.** All the special assessments to be levied for improvements in different street, avenues and boulevards, lanes, alleys, public ways or places, may be levied by means of one single special roll, provided the amount to be levied for the cost of any improvement in any given street or section of street forms a separate part therein.

Single special roll.

**62.** As far as the city's share or proportion of the costs of improvements past and present is concerned, the same may be levied upon the taxable property exclusive of the buildings by one roll only which may be called special general roll notwithstanding the fact that such costs have been incurred in virtue of different by-laws.

Special general roll.

**63.** When the special assessment roll or rolls shall have been made, the secretary-treasurer or clerk shall give public notice in one English and one French daily newspaper, published in the city of Montreal, to be inserted for a period of at least three days, stating the date and hour when such roll or rolls shall be submitted to the council for homologation.

Notice of special assessment roll.

**64.** The council shall, on the date fixed, hear all parties interested, and may adjourn its meetings from time to time when necessary, and, after examination of any complaints or objections that may be made, may maintain, modify and amend, in their discretion, such assessment roll, but without interfering with the basis of assessment on fronting properties when determined by arbitrators as aforesaid, and may homologate the said roll, with or without amendments as the case may be; such roll shall then be final and not subject to appeal.

Hearing of parties, and maintaining, &c., of roll, &c.

In case the first assessment proves insufficient, the council may make or cause to be made a second in the same manner and so on until sufficient money be realised to pay for such improvements or works.

Second roll in certain case.

**65.** Such assessment shall be due, exigible and collectable from proprietors in such proportional amounts or instalments

Instalments of assessments, &c.

as may be fixed by the council, and shall be payable at such time or times as may be ordered by the council, and the secretary-treasurer, when so ordered, shall collect the instalments or amounts from the proprietors in the manner in which municipal taxes are collected.

Assessment  
privileged  
debt, &c.

**66.** The said assessment shall be a privileged debt, exempt from the formality of registration, and shall bear interest at six per cent per annum from the date on which it becomes due, and discounts for prepayments may be allowed.

Acquisition  
of land, &c.

**67.** The council shall have power to purchase, acquire, take and enter into any land, ground or real property whatever within the limits of the city, necessary for the purpose of the improvements, or for any purposes whatever mentioned in this act, either by amicable arrangements entered into between the corporation and the proprietors or other persons interested, or by adopting the provisions and complying with the formalities respecting expropriations.

Contribution  
by council to  
cost of im-  
provement,  
&c.

**68.** The council may contribute to the cost of any improvements ordered by it out of the revenues of the corporation, or it may borrow moneys required to pay for such share of any such improvements by complying with the formalities and procedure prescribed respecting loans.

Completion  
of certain im-  
provements,  
&c.

**69.** Notwithstanding anything in this act as well as the methods of assessment therein contained, all improvements, actually commenced previous to the coming into force of this act as well as the methods of assessments thereof may be continued, carried out and completed under the provisions of the present by-laws and the acts authorizing the same.

Certain im-  
provements  
at expense of  
municipality,  
&c.

**70.** In case of a special assessment for any improvements the council, if they think fit, may, by by-law or resolution provide for constructing, at the expense of the general funds of the municipality, such part of the said improvements as is situate upon or in that part of any street, lane, alley, public place or square which is intersected by any other street, lane, alley, public place or square, or as would otherwise fall on property exempted from assessment.

Mode of as-  
sessment in  
certain cases.

**71.** The council of the city may, by any such by-law or resolution, provide an equitable mode of assessment for any improvements ordered or to be ordered for works and services on corner lots, triangular or other irregular shaped pieces of land situate at the intersection or junctions of streets, roads, and squares, having due regard to the situation, value and superficial area of such lots as compared with adjoining lots

and pieces of land assessable for such works, improvements and services, and may add the cost of such improvements or of a specified portion thereof to the total cost to be paid by the owners of fronting properties in whole or in part as provided by sections 51 and 52 of the present act.

#### MISCELLANEOUS

**72.** The council may acquire and purchase any land for the Acquisition use, and required in the interest of the city, either within or of land, &c. without the limits of the municipality and may provide for the lease, purchase, or erection of any building that the city may require and, in the event of its being necessary or advisable, for the purpose of such improvements, it may acquire any larger tract of land or parcel of land than may be ultimately required for the purposes of such improvements.

**73.** The council may sell any portion or portions of the Sale of cer- land so acquired and not ultimately required for such purpose, tain land, &c. and shall apply the proceeds thereof in part payment for such improvements, and, if a special assessment be levied for the same, the balance of such costs shall alone be assessed for.

**74.** The council may make special agreements with the Special agree- city of Montreal or with any municipality or municipalities ment with to secure for a determinate period an outlet for the sewerage Montreal, &c, and drainage of the city, the compensation therefor to be deter- re sewerage, &c. mined either by amicable arrangement or by arbitration but whenever any such outlet shall have been refused the city shall have the right to build alone or jointly with any other municipality, person, company or commission, a main sewer to conduct the sewerage and drainage to the nearest and most convenient point in the river St. Lawrence through any municipality or municipalities by paying therefor such reasonable compensation as may be awarded by arbitrators.

Nothing in this act contained shall be interpreted as confer- 1 Ed. VII, c. ring upon the city of Westmount the power to withdraw itself 19, s. 42, not from the effect of article 42 of the Quebec Public Health affected. Act 1901.

**75.** In case there should, at the passing of this act or Rectification thereafter, exist any clerical error, omission or informality of clerical in any proceedings in expropriation or in the making out of errors, &c. of any reports of arbitrators or commissioners, or of any roll of assessment prepared in respect of the costs of any improvements or in any by-law, whether such error, omission, or informality be committed by the arbitrators or commissioners, or any of them, or by those who are by law entrusted with

such proceedings, the Superior Court or any judge thereof may, upon petition to that effect, permit, in its discretion, the rectification, of such error, omission or informality upon such conditions as to costs as the court or judge may order.

Preparation  
of roll in  
place of an-  
nulled roll.

**76.** If any special assessment roll is annulled by competent authority, the secretary-treasurer shall make another special assessment roll for the same purpose, in the manner by law provided, and the same, when completed according to the formalities prescribed, shall have full force and effect.

Recourse in  
warranty in  
certain cases,  
&c.

**77.** If, for the purpose of any improvement any immoveable property is charged with any special assessment by any report or special assessment roll, which is subsequently annulled by competent authority, and a new report and special assessment roll are made for the recovery of such special assessment, and, if any change has taken place in the ownership of such property between the date of the first report and the date of the completion of the new special assessment roll, the new proprietor of such immoveable property, upon payment or demand of the amount thereof, shall have the same right in warranty against his vendor, in respect of such demand or payment, as if such property had become charged with a valid hypothec for such amount at the date of the homologation of the first mentioned special assessment roll.

Payments  
under an-  
nulled roll  
not invali-  
dated, &c.

**78.** Whenever a report of arbitrators or commissioners, or special assessment roll, for any street or other improvement, shall be annulled or set aside, the payments made under the authority of the same shall not be thereby invalidated, but such payments, with interest at the rate of six per cent added, shall go to the discharge of the respective amounts to be fixed by the new report and assessment roll, subject, on the part of the ratepayer, to make good any deficiency or to receive back any surplus according to the difference that may eventually exist between the old and the new reports and assessment rolls.

Act to gov-  
ern existing  
rolls, &c.

The present provisions shall apply as well to reports and special assessments rolls heretofore made as to those which may hereafter be made.

Vested  
rights, &c.,  
not affected.

**79.** Nothing in this act contained shall affect vested rights nor existing contracts nor serve to interpret such contracts. Nothing in this act shall effect the commutation of the ordinary taxes payable by the Montreal Amateur Athletic Association as confirmed by the act 51-52 Victoria, chapter 111, or the exemption from taxation granted to the Montreal Water and Power Company.



**80.** The acts 56 Victoria, chapter 54; 58 Victoria, chapter 54; 59 Victoria, chapter 54; 60 Victoria, chapter 63, and 7 Edward VII, chapter 69, forming the charter of the heretofore town of Westmount, as amended from time to time, are hereby repealed.

All *procès-verbaux*, and by-laws governing water-courses and streets, all rolls, accounts for taxes and dues, by-laws, orders, lists, plans, resolutions, ordinances and all municipal acts whatsoever passed and consented by the mayor and council of the town of Westmount, their predecessors or successors shall continue to have their full effect until cancelled, amended, repealed, set aside or fulfilled.

All notes, bonds, debentures or obligations and all securities or undertakings whatsoever subscribed, accepted, endorsed, issued or contracted by the council of the said town until the coming into force of this act, shall continue to have their full legal effect.

**81.** By-laws No. 149 and No. 175 of the town of Westmount for the purpose of borrowing each \$250,000, and hereto annexed, are hereby ratified and confirmed to all intents and purposes.

**82.** This act shall come into force on the day of its sanction.

## ANNEX A

### BY-LAW 149

PROVINCE OF QUEBEC, { MUNICIPALITY OF THE TOWN OF  
District of Montreal. { WESTMOUNT

At an adjourned general session of the municipal council of the town of Westmount held at the ordinary place of sessions of said council in said town in conformity to law on the seventeenth day of April 1905, at which were present :—C. A. Duclos, mayor; councillors J. W. Knox, W. L. Lee, R. Cunningham, W. H. Trenholme, John Rogers, Wm. Galbraith, A. G. Cross, forming a quorum of the said council, the mayor presiding.

It is ordained and enacted by said council and the said council doth hereby ordain and enact by its by-law number 149 intituled "by-law to authorize the town of Westmount to effect a loan of \$250,000 and for other purposes."

Whereas it is now in the interests of the town to effect a loan of \$250,000, the proceeds thereof to be applied to disbursements

for the construction of granolithic or other permanent pavements or sidewalks, street crossings of stone or brick or other material, drains and main sewers; the macadamizing or otherwise paving of streets; the opening, widening, grading, prolonging and making of streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof in the town and for other purposes.

1. The town of Westmount may, by its council, effect a loan of \$250,000 on the credit of the town, payable in forty years as hereinafter mentioned.

2. The proceeds of said loan shall be applied to disbursements for the following special improvements :

a. Disbursements made and to be made for the construction in the town of granolithic or other permanent pavements or sidewalks and street crossings of brick or stone or other material.....	\$100,000 00
b. Disbursements made and to be made for the construction of drains and main sewers or any section or sections thereof.....	60,000 00
c. Disbursements made and to be made for macadamizing or otherwise paving streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof.....	42,000 00
d. Disbursements made and to be made for the opening, widening, prolonging, altering and making of streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof in the town.....	35,000 00
e. Contingencies.....	12,000 00
f. Cost of floating loan, legal and other expenses.	1,000 00

Total..... \$250,000 00

3. That the amount of \$100,000 mentioned in item (a) of section 2 of the present by-law is the amount disbursed and to be disbursed for the construction of granolithic or other permanent pavements or sidewalks and street crossings of brick or stone or other material ; the cost whereof, when completed, shall be levied and assessed on the immoveable property of the whole town, irrespective of the buildings thereon erected ; the whole as ordered and determined by by-laws, resolutions and orders of said council.

The amount of \$60,000 mentioned in item (b) of section 2 of the present by-law is the amount disbursed and to be disbursed for the construction of drains and main sewers or any section or sections thereof in the town.

The amount of \$42,000 mentioned in item (c) of section 2 of the present by-law is the amount disbursed and to be disbursed for macadamizing or otherwise paving streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof in the town.

And the said amounts disbursed or to be disbursed for the construction of drains and main sewers or any section or sections thereof and for macadamizing or otherwise paving any street, road, alley, boulevard, lane, avenue, public way or place or any section or sections thereof, as detailed in items (b) and (c) of section 2 of the present by-law, shall be levied and assessed on the fronting properties where such improvement is made according to frontage, except as regards the town's share of cross-sections of streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof, or exemptions, which shall be levied and assessed on the immoveable property of the whole town, irrespective of the buildings thereon erected, the whole as provided by by-laws, resolutions and orders of said council.

The amount of \$35,000 mentioned in item (d) of section 2 of the present by-law, is the amount disbursed and to be disbursed for the opening, widening, altering and making of streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof in the town.

The amount of \$12,000 mentioned in item (e) of section 2 of the present by-law, is the amount required for contingencies, incidental and other expenses.

The amount of \$1,000 mentioned in item (f) of section 2 of the present by-law, is the amount required for the cost of floating the present loan and legal and other sundry and incidental expenses connected therewith.

4. The council is authorized to use the proceeds of the present loan as above provided and to assess the amount disbursed and to be disbursed for the construction of granolithic or other permanent pavements or sidewalks, drains and main sewers, or any section or sections thereof and for macadamizing or otherwise paving streets, roads, avenues, boulevards, lanes, alleys, public ways or places, or any section or sections thereof in the town as above provided; and to assess the other amounts, above detailed, including the amount disbursed or to be disbursed for the construction of street crossings of stone or brick or any material and the opening, widening, altering and making of streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof in the town, on the taxable immoveable property of the whole town irrespective of the buildings thereon erected, unless otherwise ordered by by-laws, resolutions or orders of council, the whole as provided by by-laws, resolutions and orders of said council as respects said class of special improvements.

5. It shall be lawful for the town of Westmount by its council, for the purpose of borrowing money for the above mentioned purposes, to issue bonds or debentures from time to time as may be ordered by the council, to an amount not exceeding \$250,000 payable in forty years and bearing interest at the rate of four per centum per annum, said interest payable on the first day of May and November in each year during the currency of said bonds or debentures, at the office of the Royal Bank of Canada in Montreal, or at such other place or places as may be ordered by the council. Said bonds or debentures shall be signed by the mayor and secretary-treasurer and shall be for the sum of \$1,000 (one thousand dollars) each and they may have coupons attached to them for the half yearly interest payable on them.

6. In order to pay the interest on said bonds or debentures and to provide a sinking fund of one per centum per annum on the amount of said bonds or debentures over and above said interest or on such proportion thereof as may be issued under the provisions of this by-law, a special annual tax or assessment for the purposes aforesaid is imposed by the present by-law as follows, to wit :

a. The proportion of said annual tax or assessment sufficient to meet the payments of interest and sinking fund on the proceeds of said loan, to repay the percentage of the amount disbursed and to be disbursed for the construction of drains and main sewers or any section or sections thereof and for macadamizing or otherwise paving any streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof and chargeable to frontage, as well as to repay the percentage of the amount disbursed or to be disbursed for any other of the purposes above detailed when so declared and ordered by the council, shall be levied and assessed on the immoveable property fronting on said improvements, according to frontage, at such times and in such manner as may be determined by resolution of council.

b. The proportion of the said annual tax or assessment sufficient to meet the payments of interest and sinking fund on the proceeds of said loan, to repay the percentage of the amount disbursed and to be disbursed for any other of the purposes above mentioned and detailed, including the amount disbursed and to be disbursed for the construction of street crossings of brick, stone or other material as well as the amount disbursed or to be disbursed for the construction of granolithic or other permanent pavements or sidewalks, drains, main sewers or any section or sections thereof, and for macadamizing or otherwise paving, streets, roads, avenues, boulevards, lanes, alleys, public ways or places in the town or any section or sections thereof, or for the opening, widening, altering, prolonging

or making of streets, roads, avenues, boulevards, lanes, alleys, public ways or places in the town or any section or sections thereof and assessable on the land values of the whole town as above provided, shall be levied and assessed on the taxable immoveable property of the whole town irrespective of the buildings thereon erected according to the valuation roll then in force, by the secretary-treasurer of the council, at such time and times as may be ordered by the council and in such manner as it may determine.

7. The sinking fund, may at any time, if the council or any purchaser so desire it, be employed in the repurchase of such bonds or debentures and such bonds or debentures so repurchased shall be forthwith cancelled and no other bonds or debentures issued in consequence of such repurchase.

8. The said sum of two hundred and fifty thousand dollars (\$250,000) may be borrowed in one amount or in different amounts at different dates as the council may deem most expedient in the interests of the town.

9. The proceeds of the loan authorized by the present by-law shall be devoted exclusively to the purposes mentioned in section 2 of the present by-law, and shall not be used for any other purposes than specified in said section.

10. The present by-law before taking force and effect, shall be approved by the municipal electors of the municipality who are proprietors as by law provided.

(Signed) CHAS. A. DUCLOS,  
*Mayor.*

“ WM. MINTO,  
*Secretary-treasurer.*

Certified a true copy.

A. D. SHIBLEY,  
*Asst-Sec.-Treasurer.*

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## ANNEX B

PROVINCE OF QUEBEC

DISTRICT OF MONTREAL

MUNICIPALITY OF THE TOWN  
OF WESTMOUNT

## BY-LAW No. 175

At a general session of the municipal council of the town of Westmount, held at the ordinary place and hour in conformity to law, on the 3rd September, 1907, at which were presents : Wm. Galbraith, mayor, and councillors A. D. Gall; A. H. Scott; Thos. Brady; J. Fred. Fetherston; A. McA. Murphy; A. McGoun; and W. H. Trenholme forming a quorum under the presidency of the mayor.

It is ordained and enacted by said council by by-law bearing No. 175, as follows :

Whereas the development of the town calls for further laying of drains, macadamizing of streets and laying of sidewalks for which money is required as well as for the completion and equipment of the Electric Light and Garbage Destructor Plant ;

Whereas the amounts required according to the estimates prepared by the town officials are as follows :

1. Acquiring, grading and macadamizing of roads.....	\$75,000 00
2. Construction of drains and sewers....	50,000 00
3. Construction of granolithic sidewalks, curbs and street crossings of brick and stone..	50,000 00
4. Completion and equipment of electric light plant and garbage destructor.....	65,000 00
5. Contingencies.....	10,000 00
	<hr/>
	\$250,000 00

Section 1.—The town of Westmount may effect a loan of \$250,000.00 by means of debentures redeemable in forty (40) years, and bearing interest at four and one half per centum (4½%) per annum, payable semi-annually on the first day of May and November in each year ;

Section 2.—The said debentures shall be of the denomination of one thousand dollars (\$1000.00) each and numbered from one to two hundred and fifty inclusively and dated from the 1st November 1907, and shall have attached thereto coupons bearing the number of the debenture to which they will be so attached to represent each and every payment of

interest. They shall be made payable in capital and interest at the head office of the Bank of Montreal and to bearer, and shall be signed by the mayor and the secretary-treasurer. The coupons shall bear the *fac-simile* signatures of the mayor and secretary-treasurer.

Section 3.—The said debentures may be sold all together or from time to time as the council may decide and order by resolution, and, pending the final disposal thereof upon favorable terms, the council may make all necessary arrangements, with the town's bankers by over draft note or pledge of the said debentures or both at current rates of interest, to procure the funds required to meet the cost of improvements and works covered by this by-law.

Section 4.—The proceeds of said loan shall be used exclusively to defray the expenses incurred and to be incurred in connection with the improvements and works hereinbefore mentioned and in the above stated proportions.

Section 5.—In order to pay the interest on said bonds or debentures and to provide a sinking fund of one per centum per annum on the amount of said bonds or debentures over and above said interest or on such proportion thereof as may be issued under the provisions of this by-law, a special annual tax or assessment for the purposes aforesaid is imposed by the present by-law as follows, to wit :

a. The proportion of said annual tax or assessment sufficient to meet the payments to interest and sinking fund on the proceeds of said loan, to repay the percentage of the amount disbursed for the construction of drains and main sewers or any section or sections thereof, and for the macadamizing or otherwise paving any streets, roads, avenues, boulevards, lanes, alleys, public ways or places or any section or sections thereof, and chargeable to frontage, as well as to repay the percentage of the amount disbursed for any other of the purposes above detailed when so declared and ordered by the council, shall be levied and assessed on the immoveable property fronting on said improvements, according to frontage, at such times and in such manner as may be determined by resolution of council and in accordance with the town's charter and by-laws.

b. The proportion of the said annual tax or assessment sufficient to meet the payments to interest and sinking fund on the proceeds of said loan, to repay the percentage of the amount disbursed and to be disbursed for any other of the purposes above mentioned and detailed, including the amount disbursed and to be disbursed for the construction of granolithic or other permanent pavements or sidewalks, drains, main sewers or any section or sections thereof, and for the macadamizing or otherwise paving streets, roads, avenues,

boulevards, lanes, alleys, public ways or places in the town or any section or sections thereof, and assessable on the land values of the whole town as provided by its charter and by-laws, shall be levied and assessed on the taxable immoveable property of the whole town irrespective of the buildings thereon erected according to the valuation roll then in force, by the secretary-treasurer of the council, at such time and times as may be ordered by the council and in such manner as it may determine and in accordance with the town's charter and by-laws.

(Signed) WM. GALBRAITH,  
*Mayor.*

(Signed) WM. MINTO,  
*Secretary-treasurer.*

Certified a true copy.

A. D. SHIBLEY,  
*Asst.-Sec.-Treasurer.*

## CHAP. 90

An Act to amend the charter of the town of St. Johns

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS the corporation of the town of St. Johns has, by its petition, represented that it is in the interest of the proper administration of the said town that certain amendments be made to its charter, the act 53 Victoria, chapter 71, and whereas it is expedient to grant the prayer of such petition; Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

53 V., c. 71,  
s. 297, re-  
placed.  
Publication  
of certain by-  
laws.

1. Article 297 of the act 53 Victoria, chapter 71, is replaced by the following :

“ 297. If the council so orders, the publication of by-laws for the imposing of taxes under articles 494 and following, may be effected merely by a public notice published and posted up.

And of cer-  
tain other by-  
laws.

The publication of by-laws that have not to be submitted for the approval of the municipal electors, may also be effected in the manner indicated in this article, by inserting a summary or synopsis of such provisions in the public notice.”



2. Article 317 of the said act is replaced by the following : Id., s. 317,

" **317.** Regulate and provide for the inspection and construction of houses and buildings in the town, both of those already built and of those being built; compel owners, without the latter being able to claim any compensation from the town, to build, in future, all buildings on certain streets at a distance of at least ten feet from the line of such streets fronting on their properties; appoint a building inspector and define and determine his duties." replaced.  
Regulation,  
&c., of build-  
ing of houses,  
&c.

3. Article 328 of the said act is replaced by the following : Id., s. 328,

" **328.** The council may, by by-law, prevent the erection of wooden buildings or fences in the town or in a specified part thereof and determine in certain cases the nature of the materials to be used for making roofs and outer walls." replaced.  
By-laws to  
prevent erec-  
tion of wood-  
en build-  
ings, &c.

4. Article 346 of the said act is replaced by the following : Id., s. 346,

" **346.** Regulate and license the posting of bills and placards, and regulate the manner of distributing them in the streets and public squares of the town." replaced.  
Regulating  
placards, &c.

5. Article 364 of the said act is replaced by the following : Id., s. 364,

" **364.** Regulate the leasing of stalls and other places in and around the markets ; lease and concede the use of private stalls on such conditions and at such prices as may be determined in the by-law, and regulate and tax private butchers' stalls and impose an annual tax or license, not exceeding fifty dollars, on them." replaced.  
Regulating  
leasing of  
stalls, &c.

6. The following article is inserted in the act after article 372: Id., s. insert-  
ed after s.

" **372a.** Order the inspection of milk and prohibit the sale and offering for sale of unwholesome milk, infected with germs of disease or otherwise injurious to health, and authorize the seizure and confiscation thereof ; order the inspection of and regulate dairies, stables or cow-houses within the town limits whence the milk comes that is sold in the town ; order the inspection of and regulate the premises where milk is sold ; compel milkmen selling milk in the town to make use of the most suitable means of conveyance and of treating the milk for its protection against contamination and for securing its purity ; refuse licenses to milkmen who do not comply with the law or the regulations of the town respecting milk, as well as those of the Provincial Board of Health, and suspend or cancel such licenses for infringements of such laws and regulations, in addition to any other penalty." 372.  
Inspection of  
milk, &c.

Id., s. insert-  
ed after s.  
441.

Census by-  
law, &c.

7. The following article is inserted in the said act after article 441 :

" 441a. The municipal council of the town may also, by by-law, order that a census be taken every three years in the said town with such statistics as it may deem advisable."

Id., s. 494,  
amended.

8. Article 494 of the said act is amended by replacing paragraphs 1, 2, 4 and 5, by the following :

Tax on im-  
moveables.

" 1. Upon all immoveable property, a sum not exceeding one cent in the dollar on the total real value as shown on the valuation roll of the town, in force;

On stocks in  
trade, &c.

" 2. Upon all stocks-in-trade, or goods kept by merchants or traders and exposed for sale on shelves or otherwise, in shops or stores, or kept in vaults, sheds, yards or other places, an amount not exceeding one cent in the dollar of the average estimated value of such stocks-in-trade or goods ;

Professional  
tax.

" 4. Upon every person habitually practising in the town the profession of advocate, physician, veterinary-surgeon, notary, dentist, surveyor, civil engineer or any other liberal profession, or acting as a public officer or employee, or as prothonotary of the Superior Court, or clerk of the Circuit Court, or as deputy prothonotary, or deputy clerk, or as registrar, or sheriff, a sum not exceeding six dollars ;

On horses,  
&c.

" 5. Upon every horse, mule or ass, a sum not exceeding one dollar ;

Upon each stallion kept for breeding purposes, a sum not exceeding ten dollars ;

Upon every cabriolet or light waggon, drawn by two horses, a sum not exceeding two dollars ;

Upon every cabriolet or light waggon, drawn by one horse, a sum not exceeding one dollar ;

Upon every single sleigh, for one horse, a sum not exceeding one dollar, and upon a double sleigh, a sum not exceeding two dollars ;

Upon every dog, a sum not exceeding two dollars, and upon every bitch, a sum not exceeding six dollars ;

The tax on dogs and bitches under the foregoing provision shall be imposed and levied in the shape of a yearly license, in the manner provided for the imposing and levying of business taxes and licenses which the town is authorized to impose and levy under articles 495 and following of its charter ; the by-law imposing such license may also compel owners of dogs to make them wear a collar to which shall be attached a metal tag supplied by the secretary-treasurer of the town, on payment of such license and of the cost of such tag.

Who deemed  
owner. &c.

The person in possession of the animals and articles above enumerated is deemed to be the owner thereof and is taxed in consequence, saving his recourse, if any, against the real owner."

9. Article 495 of the said act is amended :

Id., s. 495,  
amended.

a. By replacing paragraphs 3 and 8 by the following :

" 3. Upon every brewer or distiller and upon every bottler of beer or other liquors a sum not exceeding fifty dollars." Tax on  
brewers, &c.

" 8. Upon every butcher, grocer, milkman keeping more than two cows, butter or cheese maker or dealer, laundryman or laundry, druggist, baker, huckster, hawker, owner or keeper of a coal yard, slaughter house or tannery ; upon every dealer in horses ; upon every manufacturer of bricks, soap, tallow candles, glue, ginger-beer or other beer ; upon every owner of mills driven by steam or water power, foundries, manufactories whatsoever, or their agents or managers, or all persons working the same, a sum not exceeding fifty dollars when the persons or companies enumerated in this paragraph reside or are domiciled or have their place of business in the said town. On butchers,  
&c.

This paragraph shall not apply to the Singer Manufacturing Company, nor to its officers, agents or employees, while the privilege granted to them is in existence." Proviso.

b. By adding thereto the following paragraphs :

" 9. The municipal council of the town of St. Johns may further impose and levy annually in the manner and for the purposes mentioned in article 495 : Further  
taxes.

a. On every job contractor, whether residing or not residing in the town of St. Johns, and not being subject therein to any other tax in virtue of this charter, a sum of not more than twenty-five dollars, provided such contract is carried out within the limits of the town of St. John ; On certain  
job contract-  
ors.

b. On every male person of full age, other than ministers of religion, ecclesiastics and students, not otherwise taxed in virtue of this charter, who has resided in the town of St. Johns at least six months, or who, although not residing there, has worked there for at least three months, an annual tax of not more than two dollars. Poll tax.

" 10. The municipal council of the town is also authorized to impose and levy, at its discretion, an annual license or business tax for the plying and carrying on of trades, industries occupations and business of all kinds, the payment whereof cannot be exacted under any other provision of this act or of the town charter, and also, in certain cases, to divide such trades, industries and kinds of business into various classes and categories in order to determine the price of the license according to the amount of business and of the rental value Annual busi-  
ness taxes.

of the premises where such trades, industries, occupations and kinds of business are carried on."

Coming into force.

**10.** This act shall come into force on the day of its sanction.

## CHAP. 91

An Act to amend the charter of the town of Chicoutimi

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS the town of Chicoutimi has, by its petition, represented that it is in the interest of its proper administration that certain amendments be made to its charter, the act 4 Edward VII, chapter 62, and whereas it is expedient to grant the prayer to that effect contained in the said petition; Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

3 Ed. VII, c. 38, s. 17, amended for town.  
Date of second general election.

**1.** The second paragraph of article 17 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" 17. The second general election is held on the first juridical day of the second month of October after the coming into force of the charter, and the subsequent general elections are afterwards held every second year, on the first juridical day of October."

Id., s. 157, replaced for town.  
Subsequent general elections.

**2.** Article 157 of the said act is replaced, for the town, by the following :

" **157.** The general elections for mayor and aldermen of the municipality are held every two years, on the first juridical day of October, in accordance with the provisions hereinafter contained."

Id., s. added for town after s. 157.  
First election of mayor, &c.

**3.** The following article is added, for the town, after article 157 of the said act :

" **157a.** The next election of mayor and aldermen for the town of Chicoutimi shall be held on the first day of October, 1908."

Id., s. 55, replaced for town.  
Vacancy in office of mayor.

**4.** Article 55 of the said act is replaced, for the town, by the following :

" **55.** If the office of mayor become vacant, the clerk of the municipality shall at once give the necessary notices for a new election by the people."

5. Article 108 of the said act is replaced, for the town, by Id., s. 108, the following : replaced for town.

" 108. No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the six months immediately preceding the day of his nomination, has been seized of and has possessed, as proprietor in his own name or in that of his wife, immoveable property in the municipality of the value of six hundred dollars, after payment or deduction of all charges imposed thereon, such qualification required by this article to be established by the valuation roll in force at the date of the nomination." Qualifications of mayor, &c.

6. Article 117 of the said act is replaced, for the town, by Id., s. 117, the following : replaced for town.

" 117. No person qualified to vote as proprietor, tenant or occupant is entitled to have his name entered on the electors' list for any of the wards of the municipality who, on the thirtieth June preceding the completion of the list, is indebted towards the municipality for any taxes on immoveables (except his special taxes). Payment of taxes before entry on voters' list.

A tax due in one ward deprives the person owing the same of the right of being entered on the list of electors for all the other wards also." Further consequence of non-payment.

7. Article 118 of the said act is replaced, for the town, by Id., s. 118, the following : replaced for town.

" 118. During the month of July of each year, there is prepared by the clerk, or under his direction, in the manner hereinafter mentioned, a list for the municipality of the names of persons entered on the valuation as well as on the collection roll of the municipality, and qualified to be entered upon the electors' list." Voters' list.

8. The second paragraph of article 120 of the said act is replaced, for the town, by the following : Id., s. 120, par. 2, replaced for town.

" During the month of July, any ratepayer may, under proper safeguards, examine the lists in the office of the clerk, and if said rate-payer find therein the name of any person whom he may have reason to believe is not legally entitled to be entered, he may serve upon the clerk a signed statement, specifying the name and alleging the causes of disqualification; and, in each such case, it is the duty of the clerk to make careful inquiry respecting the truth of such allegations, before permitting any name thus protested to remain upon the list, when he certifies it." Examination of lists by electors, &c.

9. Article 127 of the said act is replaced, for the town, by Id., s. 127, the following : replaced for town.

Clerk *ad hoc*  
for voters'  
list.

**" 127.** If the clerk has not made the alphabetical list of electors, or has not given or published the notice required by article 123, by the third day of the month of August, the judge of the Superior Court for the district, or, in the event of the absence of the district judge, or of his inability to act, a judge of a neighboring district or the district magistrate, on summary petition of any person entitled to be entered as an elector in the municipality, shall appoint a clerk *ad hoc* to prepare the alphabetical list of electors."

Id., s. 139,  
replaced for  
town.

**10.** Article 139 of the said act is replaced, for the town, by the following :

Coming into  
force of  
voters' list.

**" 139.** The list of electors comes into force at the expiration of the thirty days following the expiration of the delay prescribed for the preparation of the list, or, if the list has been completed after the expiration of the said delay, within the thirty days after the notice given in virtue of article 123, as it then exists, and remains in force until the month of September following its coming into force, and, thereafter, in all cases, until a new list is made and put into force under the authority of this act.

Remains in  
force pending  
appeal.

Notwithstanding the appeal to a judge of the Superior Court, or to a district magistrate in districts in which there is no judge of the Superior Court, touching a portion of the list, such portion of the list shall remain in force until the final decision of the court, before which the said petition in appeal is pending."

Id., s. 159,  
replaced for  
town.  
Election  
clerk, &c.

**11.** Article 159 of the said act is replaced, for the town, by the following :

**" 159.** Ten days at least before the twentieth day of September, at noon, in the year in which a general election is to be held, the returning-officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk."

Id., s. 163,  
replaced for  
town.

**12.** Article 163 of the said act is replaced, for the town, by the following :

Public notice  
by returning-  
officer.

**" 163.** Eight days at least before the twentieth day of September in the year in which a general election is to be held, the returning-officer shall give public notice, in the form G, under his signature, setting forth :

a The place day and hour fixed for the nomination of candidates;

b The day on which the poll for taking the votes of the electors is to be held, in case a poll is necessary;

c The appointment of the election clerk."

**13.** Article 165 of the said act is replaced, for the town, by the following : Id., s. 165, replaced for town.

"**165.** The nomination of candidates at a general election is held on the twentieth of September from noon to two o'clock in the afternoon. If such day be a holiday, it is held on the first juridical day following such date, also from noon to two of the clock in the afternoon." Date of nomination.

**14.** The following article is added, for the town, after article 167 of the said act : Id., s. added after s. 167, for town.

"**167a.** The nomination paper of each candidate shall, before being handed to the returning-officer, indicate the number of the seat for which he is nominated, and, at the expiration of the delay for the nomination of candidates, the returning-officer shall nominate one against another if there be but two candidates, or one against the others if there be more than two candidates for the same numbered seat, the candidates whose nomination papers shall indicate the same number, or shall proclaim elected the candidate who is alone nominated for the same numbered seat ; the whole on pain of nullity. Contents of nomination paper.

A candidate can be nominated for one seat only."

One candidate per seat.

**15.** The following article is added, for the town, after article 304 of the said act : Id., s. added for town after s. 304

"**304a.** The absolute majority of the whole council, within the meaning of the various provisions of this act, shall be the majority of the members composing the council, exclusive of the mayor." What is absolute majority of whole council.

**16.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 92

## An Act to amend the charter of the town of Joliette

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS the corporation of the town of Joliette has, by petition, represented that it is in the interest of the proper administration of that town that certain additional powers be conferred upon it, and that certain amendments be made to its charter, the act 27 Victoria, chapter 23, as amended by the act 39 Victoria, chapter 47, and the act 47 Victoria, chapter 87; and whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

3 Ed. VII, c.  
38; certain ss.  
of to apply.

1. The following articles of the Cities and Towns' Act, 1903, shall apply to the town of Joliette and be considered as forming part of its charter, to wit :

a. Article 29, and the following articles as far as article 44 inclusively ;

b. Article 106 and the following articles as far as article 111 inclusively ;

c. Article 312 and the following articles as far as article 332, inclusively ;

d. Article 340 and the following articles, as far as article 367, inclusively ;

e. Article 382 and the following articles as far as article 432, inclusively ;

f. Articles 454, 456, 457, 458, 469, 470 and 471 ;

g. Article 477 and the following articles as far as article 499, inclusively ;

h. Article 518 and the following articles as far as article 531a, inclusively ;

i. Article 606 and the following articles as far as article 611, inclusively ;

Id., s. 424,  
amended for  
town.

2. Article 424 of the Cities and Towns' Act, 1903, is amended, for the town of Joliette :

a. By striking out paragraph 12;

b. By replacing paragraph 23 by the following :

Licensing of  
non resident  
traders, &c.

" 23. To prevent any person domiciled outside the municipality from carrying on any trade or business in the municipality without being previously authorized thereto by a license and



without having paid for such license an amount not exceeding two hundred dollars."

c. By adding the following paragraphs at the end of the said article :

" 24. To license, regulate, restrict or forbid without such <sup>Licensing,</sup> licence, restaurants, coffee-houses and shops not governed by <sup>&c., restau-</sup> the Quebec License Act but wherein food and drink are ser- <sup>rants, &c.</sup> ved to the public on payment therefor."

" 25. To license, regulate, restrict or forbid the establishment <sup>Licensing,</sup> or keeping of auction rooms, wherein retail business is done by <sup>&c., certain</sup> auction. <sup>rooms.</sup>"

" 26. To establish and determine in its discretion the con- <sup>Fixing con-</sup> dition, price and duration of every kind of license which it has <sup>ditions, &c.,</sup> the power to grant under the said charter or this act. <sup>of licenses.</sup>"

**3.** Article 522 of the Cities and Towns' Act, 1903, is replaced, <sup>Id., s. 522,</sup> for the town, by the following : <sup>replaced for town.</sup>

" **522.** The council may contract its loans by an issue of <sup>Issue of</sup> bonds, obligations or debentures signed by the mayor and <sup>bonds, &c.</sup> countersigned by the clerk and bearing the seal of the corporation."

Such bonds, obligations or debentures are made payable to <sup>How pay-</sup> bearer, at the places, and on the terms and conditions deter- <sup>able.</sup> mined by the council."

**4.** The following section is inserted in the act 27 Victoria, <sup>27 V., c. 23;</sup> chapter 23, after section 2 : <sup>s. inserted after s. 2.</sup>

**2a.** The municipality of the town of Joliette shall form <sup>Town to form</sup> but one ward, until otherwise enacted by a by-law of the <sup>one ward, &c.</sup> council under the provisions of the Cities and Towns' set 1903."

**5.** Sub-sections 1, 2 and 3 of section 4 of the act 27 Victoria, <sup>Id., s. 4,</sup> chapter 23, are repealed. <sup>amended.</sup>

**6.** Section 5 of the act 27 Victoria, chapter 23, as replaced <sup>Id., s. 5, re-</sup> by the act 39 Victoria, chapter 47, section 4, is replaced by the <sup>placed.</sup> following :

" **5.** The following persons shall be entitled to vote at <sup>Municipal</sup> municipal elections and at all meetings of electors of the town <sup>electors.</sup> namely : all persons whose names are regularly entered on the list of parliamentary electors in force in the municipality at the time of the said election or meeting, and the list of electors for the Legislative Assembly shall serve for all municipal purposes to the exclusion of all others."

All persons whose names are regularly entered on the con-

No vote  
unless taxes  
previously  
paid, &c.

tinuance of the said list, under the provisions of article 19 of the act 3 Edward VII, chapter 9, shall also be entitled to vote.

Nevertheless no person shall have the right to vote at municipal elections unless he has previously paid the municipal and school taxes due by him before such election, under a penalty of twenty dollars, and it shall be lawful for every candidate at every election to require the production of the receipts establishing the payment of such taxes."

Id., s. 32, subsect. 2, 5, 6, repealed. **7.** Sub-sections 2, 5 and 6 of section 32 of the act 27 Victoria, chapter 23, are repealed.

Id., s. inserted after s. 32. **8.** The following sections are inserted in the act 27 Victoria, chapter 23, after section 32 :

Special taxes. **"32a.** The council may also impose, levy and exact, in addition to all other taxes, the following special taxes :

a. On the owners of all telegraph, telephone or electric lines a special yearly tax not exceeding twenty-five cents for each of the poles of such lines within the limits of the municipality ;

b. On every person keeping a butcher's stall within the limits of the municipality outside the town market, a tax not exceeding one hundred dollars per annum, which tax may however vary at the discretion of the council according as the stall is at a greater or lesser distance from the said market ;

c. On all persons temporarily opening a store for the purpose of selling a bankrupt stock or other goods therein, a special tax not exceeding two hundred dollars a year ;

d. On every person plying the trade of conveying passengers, a special tax not exceeding ten dollars per annum for every horse and fifteen dollars per annum on every vehicle used in such occupation ;

e. On every person keeping an auction room where retail business is carried on by auction, a special tax not exceeding two hundred dollars per annum ;

f. On all life insurance companies doing business or soliciting risks in the town, a special tax not exceeding thirty dollars per annum ;

g. On all fire insurance companies doing business or soliciting risks in the town, a special tax not exceeding fifty dollars per annum ;

Special taxes  
may be in  
form of li-  
cense, &c.

**"32b.** Every tax imposed by the preceding section or by sub-section 7 of section 32 may, in the discretion of the council, be imposed and levied in the form of a license, and such tax shall be paid annually, upon such dates and conditions and with such restrictions as the council may determine."

Id., ss. 35, 39, **9.** Sections 35, 39, 40, 43 44 and 45 of the act 27 Victoria,

chapter 23, as amended by the act 39 Victoria, chapter 47, 40, 43, 44, 45, section 16, and by the act 47 Victoria, chapter 87, section 14, <sup>repealed.</sup> are repealed.

**10.** The articles of the Cities and Towns' Act, 1903, incorporated by this act in the charter of the town of Joliette, shall remain in force for the said town as they now exist and so long as they are not repealed or amended for said town by name. <sup>3 Ed. VII, c. 38, in force till repealed, &c.</sup>

**11.** The said council is specially authorized to procure by means of a loan redeemable at a stated term with interest not to exceed five per cent or by annuities, with or without a sinking fund, a sum not exceeding the amount required for the redemption or conversion of its consolidated debt, as well as for the consolidation of its floating debt amounting in all to \$249,203.00; and, in such case, may issue a sufficient amount of new debentures and dispose thereof on such conditions as may seem most favorable to it. <sup>Loan for certain purposes.</sup>

**12.** The council may, by mere resolution, and without other formality, issue, from time to time, and renew when necessary, so long as the loan authorized by the foregoing article is not effected, notes payable at such places and on such terms and conditions as it may deem expedient, for the amount of its present debt or for a portion thereof. <sup>Issue of notes upon resolution, &c.</sup>

**13.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

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## CHAP. 93

### An Act to consolidate and revise the charter of the town of Beauharnois

[Assented to 25th April, 1908]

**W**HEREAS, the corporation of the town of Beauharnois <sup>Preamble.</sup> has by its petition represented that it has become expedient to consolidate and revise the charter of the town, and to subject it to the operation of the Cities and Towns' Act, 1903, and to grant it certain powers not conferred by the said act; and whereas it is expedient to grant the prayer of such petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

## CONSTITUTION AND BOUNDARIES OF THE TOWN

- Short title, &c.**      **1.** This act shall be cited as "The charter of the Town of Beauharnois." The provisions of the said act shall not prejudice vested rights.
- Persons incorporated.**      **2.** The inhabitants and ratepayers of the former corporation of the town of Beauharnois, and their successors, are and shall remain constituted a body politic and corporate under the name of "The Town of Beauharnois."
- Name.**      The same of "The Town of Beauharnois."
- Town municipality separate from county.**      **3.** The town of Beauharnois is and shall remain separated from the county of Beauharnois, for municipal purposes.
- 3 Ed. VII, c. 38, to apply.**      **4.** The town of Beauharnois shall hereafter be subject to the operation of the articles of the Cities and Towns' Act, 1903, except in so far as they may be inconsistent with the provisions of this act.
- 27 V., c. 24, &c., repealed.**      The charter of the town of Beauharnois, 27 Victoria, chapter 24, as amended by the acts 38 Victoria, chapter 77, 56 Victoria, chapter 55, and 7 Edward VII, chapter 70, is repealed.
- Town succeeds to former corporation, &c.**      **5.** The corporation hereby constituted succeeds to all the rights, privileges, obligations, property, claims and actions of the corporation under the acts repealed by the foregoing section.
- Present mayor, &c., remain in office, &c.**      **6.** The present mayor and councillors of the town of Beauharnois, or their substitutes in case of a vacancy, shall remain in office until replaced under the provisions of this act.
- By-laws, &c., remain in force, &c.**      **7.** The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and dues, ordinances, plans and other municipal acts and documents whatsoever, passed or consented to by the council of the town of Beauharnois, and now in force, shall continue to have their full effect, until annulled, amended, repealed or accomplished.
- Obligations, &c., not affected.**      **8.** The notes, bonds, obligations, covenants, undertakings or contracts, subscribed, accepted, endorsed or consented to by the town of Beauharnois, shall continue to have their legal effect.
- Boundaries of town.**      **9.** The territory of the town of Beauharnois is bounded as follows : on the north-east by the lots of land known and designated under numbers 48 and 54 of the official plan and book of reference of the parish of Saint Clément ; on the south-east by lots numbers 51, 125, 128 and 266 of the afore-

said official plan and book of reference; on the south-west by lots numbers 267 and 268 of the aforesaid official plan and book of reference; and on the north-west, by Lake Saint Louis.

**10.** The territory of the town of Beauharnois is divided into three wards, to wit : the North Ward, the Centre Ward and the South Ward :

*Firstly.*—The north ward shall comprise St. Lawrence street throughout its whole length, and all the streets leading to the river St. Lawrence, from the said St. Lawrence street and all lots fronting on the latter street, and also all the lots that may be comprised within the limits of the said town, from the river St. Louis to the western boundary of the said town.

*Secondly.*—The centre ward shall comprise Ellice street throughout its whole length, all the smaller streets leading from St. Lawrence street to Ellice street, and all the lots fronting on Ellice street.

*Thirdly.*—The south ward shall comprise all the cross streets from Ellice street to the south-eastern boundary of the town, Hannah, St. George, St. Joseph, and St. Charles streets and all the remaining territory extending to the south-eastern boundary of the town.

#### ELECTION OF MAYOR AND ALDERMEN

**11.** The municipal council shall consist of a mayor and six aldermen : two representing the north ward ; two the centre ward and two the south ward. They shall be elected in the manner and for the period prescribed in this act.

**12.** The first general election of mayor and aldermen shall take place in 1910. The second general election shall take place in 1912 and subsequent elections shall afterwards take place every two years on the day fixed by the Cities and Towns' Act, 1903.

**13.** The nomination for the first general election shall be held on the twentieth day of January or following juridical day, if such day be a non-juridical day, and the voting, if necessary, on the first juridical day of February.

**14.** The returning-officer for the first general and subsequent elections, shall be the clerk of the town then in office.

**15.** The first session of the council shall be held in the town hall at the hour fixed by the clerk of the town within fifteen days following the coming into force of this act.

Id., s. 86, replaced for town.

**16.** Article 86 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Delivery of copies, &c., from municipal books, &c.

**" 86.** The clerk is bound to deliver upon demand, on payment of the fees fixed by the council, to any person applying for the same copies of or extracts from any book, roll, register, document or other paper which forms part of the archives."

Id., s. 97, replaced. for town.

**17.** Article 97 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Delivery by treasurer of copies, &c., from books, &c.

**" 97.** The treasurer is bound to deliver to any person applying for the same, on payment of the fees fixed by the council, copies of or extracts from any book, roll, register, document or other paper in his custody."

Id., s. 107, par. 10, not to apply.

**18.** Paragraph 10 of article 107 of the Cities and Town's Act, 1903, shall not apply to the town.

Id., s. 110, not to apply.

**19.** Article 110 of the Cities and Town's Act, 1903, shall not apply to the town.

Id., s. 116, par. 1, not to apply.

**20.** Paragraph 1 of article 116 of the Cities and Towns' Act, 1903 shall not apply to the town.

Id., s. 117, replaced for town.

**21.** Article 117 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Payment of taxes before entry on voters' list.

**" 117.** No person qualified to vote as proprietor, tenant or occupant, is entitled to have his name entered on the electors' list for any of the wards of the municipality who, on the first of August preceding the completion of the list, is indebted towards the municipality for any taxes or water-rates (special taxes excepted).

Proviso.

This article deprives the proprietor of the right to be entered on the list for the ward only in which such taxes become due."

Id., ss. 168, 169, not to apply.

**22.** Articles 168 and 169 of the Cities and Towns' Act, 1903, shall not apply to the town.

Id., s. 170, par. 3, not to apply.

**23.** Paragraph 3 of article 170 of the Cities and Town's Act, 1903, shall not apply to the town.

Id., s. 171, replaced for town.

**24.** Article 171 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Attestation of nomination papers.

**" 171. 1.** The returning-officer shall require the person or one or more of the persons producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that the several persons who have signed or have made their mark thereon are electors duly entitled to

vote and that they have signed or made their mark on it in his or their presence.

2. Such oath may be in the form I if the office of mayor Form of be in question, and in the form I.1 if that of alderman, and the oath. fact of its having been taken shall be stated on the back of the nomination paper."

**25.** Article 172 of the Cities and Towns' Act, 1903, shall Id., s. 172, not apply to the town. not to apply.

**26.** Article 173 of the Cities and Towns' Act, 1903, is re- Id., s. 173, placed for the town by the following : replaced for town.

" **173.** No nomination paper shall be valid and carried Making, &c., into effect by the returning-officer, unless it be made and of nomination delivered in conformity with the formalities prescribed by tion paper. articles 166, 167, 170 and 171 inclusively.

But on accepting and having examined the same, the re-Returning-officer must at once declare whether he considers officer decides as to its validity. it valid, and give effect to his declaration by entering thereon under his signature the word "admitted" or the word "re- rejected," with, in the latter case, the reasons for such rejection.

The nomination paper may then be corrected or replaced Corrections, &c., thereof. by another nomination paper, so long as the delay has not expired."

**27.** Paragraph 2 of article 177 of the Cities and Towns' Id., s. 177, Act, 1903, shall not apply to the town. par. 2, not to apply.

**28.** The following article is added for the town after ar- Id., s. added itcle 236 of the Cities and Towns' Act, 1903 ; for town after s. 236.

" **236a.** Every person who having been elected or appointed Penalty for to the office of mayor or alderman of the town, shall refuse refusal to ac- or neglect to accept such office or to perform the duties thereof cept alder- for any portion of the period for which he has been so elected manship, &c. or appointed, shall incur a penalty of fifty dollars."

**29.** Article 301 of the Cities and Towns' Act, 1903, is re- Id., s. 301, placed for the town by the following : replaced for town.

" **301.** The council sits at the town hall or any other place Place of chosen for that purpose by resolution of the council, either sitting of temporarily or permanently, within the limits of the municipi- council. pality. "

**30.** Article 302 of the Cities and Towns' Act, 1903, is re- Id., s. 302, placed for the town by the following : replaced for town.

" **302.** The council meets at least once a month in general Meetings of or ordinary session to despatch the business of the municipality, council.

and holds its sessions on the days and at the hours which it determines by by-law."

Id., s. 358,  
replaced for  
town.  
Requisition  
for poll.

**31.** Article 358 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

" **358.** Six electors who are owners of immoveable property and qualified to form part of such meeting, may require that a poll be held to ascertain whether the by-law is approved or not.

Fixing date  
of polling.

Upon such requisition the mayor or other person presiding shall, within the following eight days fix a day for the poll."

Id., s. 360,  
replaced for  
town.

**32.** Article 360 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Polling hours

" **360.** The poll is held on one juridical day, from eight o'clock in the morning to five o'clock in the afternoon."

Id., s. 398,  
par. 5, re-  
placed for  
town.

**33.** Paragraph 5 of article 398 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Payment of  
water-rate  
by instal-  
ments, &c.

" 5. To provide that the water rate shall be due and payable by instalments and beforehand and within such delays as it may deem proper to fix."

Id., s. added  
after s. 452.

**34.** The following article is added for the town after article 452 of the Cities and Towns' Act, 1903 :

Correction of  
valuation.

" **452a.** If the council is of opinion that the valuation of a taxable immoveable or thing is below its true value in such manner as to prejudicially affect the other rate-payers, it may after notifying the proprietors, amend the roll by fixing, itself, the figure it deems right and reasonable as representing the value of such taxable immoveable or article, saving the right of appeal provided for in article 459.

Id., s. 472,  
replaced for  
town.

**35.** Article 472 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Prescription  
of taxes.

" **472.** The arrears of municipal taxes are prescribed by five years."

Id., ss. 474,  
475, replaced  
for town.

**36.** Articles 474 and 475 of the Cities and Towns' Act, 1903, are replaced for the town by the following :

Taxation of  
town lots,&c.

" **474.** The council may impose and levy annually on every town lot or part of lot with all the buildings thereon erected, if any there be, a sum not exceeding one cent on the dollar of the real value, as established by the valuation roll ; provided all special or other taxes imposed upon the immoveable property shall not exceed one cent on the dollar of the total value as shown on the valuation roll."



**37.** Article 478 of the Cities and Town's Act, 1903, is re-<sup>Id., s. 478,</sup>  
placed for the town by the following : <sup>replaced</sup>  
<sup>for town.</sup>

**"478.** The council may impose and levy on all male in-<sup>Poll tax.</sup>  
habitants of the age of twenty-one years and over, who have  
resided in the municipality during six months, and who are  
not liable to the payment of any other tax in virtue of this act,  
an annual tax of one dollar."

**38.** This act shall come into force on the day of its sanction. <sup>Coming into</sup>  
<sup>force.</sup>

## CHAP. 94

An Act to amend the charter of the town of St. Laurent

[Assented to 14th April, 1908]

**W**HEREAS the town of St. Laurent has by its petition <sup>Pr amble.</sup>  
represented that its charter the act 56 Victoria, chapter  
59, as amended by the act 1 Edward VII, chapter 51, does not  
meet the requirements of the said municipality and that it  
is especially necessary to make the Cities and Towns' Act,  
1903, as well as other special provisions apply to the said  
town of St. Laurent; and whereas it is expedient to grant the  
prayer to that effect contained in the said petition ;

Therefore, His Majesty, by with the advice and consent of the  
Legislative Council and of the Legislative Assembly of Quebec,  
enacts as follows :

**1.** The act 56 Victoria, chapter 59, as amended by the act <sup>56 V., c. 59,</sup>  
1 Edward VII, chapter 51, is repealed. <sup>repealed.</sup>

**2.** The town of St. Laurent shall hereafter be governed by <sup>3 Ed. VII, c.</sup>  
the Cities and Towns' Act 1903, except as to matters respecting <sup>38 to apply.</sup>  
which the present law might derogate therefrom or contain  
provisions inconsistent therewith.

**3.** The town shall comprise the following territory, to wit : <sup>Boundaries</sup>  
that portion of the said parish of St. Laurent bounded on the <sup>of town</sup>  
north-east by the remaining and unsubdivided part of lot  
No. 251 of the hypothecary cadastre of the parish of St. Lau-  
rent, (the portion of No. 251 included within the limits of the  
said municipality being taken in a straight line from the north-  
west side towards the north-west dividing line of lot No. 250  
and bounded on the north-east by the dividing line between  
lot No. 251 and the lot now owned by Joseph Groux, junior,  
and bearing the official No. 252); by Côte Sainte Marguerite,

by No. 373 from which shall be deducted the lot occupied by Philémon Cousineau, advocate, which lot shall be comprised within the limits of the municipality ; by No. 375 by the remaining part of No. 406 taken in a straight line, with the north-east line of No. 407 ; on the north-east by the Côte St. Laurent road ; on the south-east by the Côte St. Laurent road, the public highway, the Côte de Liesse road ; on the south-west by the Côte de Liesse road ; by the unsubdivided portion of lot No. 465 and by lot No. 468 ; on the West by the Côte Vertu road and by the remaining portion of lot No. 242 belonging to Henri Deslauriers and to the Reverend Sisters of Sainte Croix, (all the lots now sold and detached from the said lot No. 242 to be comprised within the limits of the town) ; and on the north-west by the Ruisseau Rimbault and by the remaining unsubdivided portion of the said lot No. 242 ; the unsubdivided portion of the said lot No. 242 which shall be comprised within the limits of the town shall be taken in a straight line with the division line of lots Nos. 250 and 251.

The territory hereinafter described shall also form part of the town of St. Laurent: the lots of land bearing the official numbers 19, 23, 25, 26, 30, 242, 251, 581, 582 and 583 of the official plan and book of reference of the parish of St. Laurent; lots Nos. 93, 95, 96, 97, 98 and 99 of the official plan and book of reference of the incorporated village of Côte des Neiges, and Nos. 45 and 50 of the official plan and book of reference of the parish of Montreal.; the whole with the consent of the municipalities interested, of the majority in number and in value of the proprietors of the said lots and land, and of the Lieutenant-Governor in Council.

**Maintenance  
of certain  
highways.**

**Proviso.**

4. At the place where the division line between the town of St. Laurent and the municipality of the parish of St. Laurent is a highway, such highway shall remain at the charge of every proprietor fronting on such highway. Nevertheless, the council of the town of St. Laurent may, by resolution, order that the work to be done by the ratepayers of the town of St. Laurent, shall be done by the council on such roads, and the cost thereof be assessed upon every proprietor bound to maintain the road.

**Wards.**

5. The town shall be divided into two wards, the east ward and the west ward.

**East ward.**

The east ward shall comprise that portion of the town from the middle of Decelles Avenue to the eastern extremity of the town.

**West ward.**

The west ward shall comprise that portion of the town from the middle of Decelles Avenue to the western extremity of the town.

On the north side of the public road the two wards shall be divided by the division line between the property of the Reverend Sisters of Sainte Croix and the property of l'Oeuvre et Fabrique of the parish of St. Laurent

Dividing line between wards.

6. The inhabitants and rate-payers of the said municipality shall constitute a corporation under the name of "The town of St. Laurent" which shall not be deemed to be a new corporation, but shall retain and continue to exercise all the rights and powers and privileges that the corporation of the town of St. Laurent possessed and exercised until the passing of this act, and shall remain subject to the same obligations.

Persons incorporated. Name. Corporation not new corporation, &c.

7. The corporation shall be represented by a mayor and six aldermen, elected every two years. Three of the aldermen shall be elected in one ward and three in the other.

Mayor and aldermen.

The council may, by resolution, number each of the aldermen's seats and the election shall take place in each ward, or each alderman, by designating him under the number given by the council, and if more than one candidate is nominated for each seat, the election shall take place only for the seats for which there are more than one candidate.

Numbering of aldermanic seats.

8. All *procès-verbaux*, assessments and collection rolls, titles, accounts, claims, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions or municipal acts whatsoever, passed or consented to by the council of the former town of St. Laurent, continue to have full and entire effect, until they be cancelled, amended, set aside or accomplished by the council of the town of St. Laurent, or unless they be expressly inconsistent with this act.

*Procès-verbaux, &c.*, of former town to remain in force.

9. All bonds, notes, obligations, debentures, undertakings and guarantees whatsoever, subscribed, issued, made and contracted by the council of the said town, shall continue to have their legal effect.

Debts, &c., of former town to remain in force.

10. The mayor and councillors of the former town of St. Laurent in office at the time of the coming into force of this act, shall remain in office as mayor and aldermen of the municipality, until the election of their successors under the operation of this act, which election shall take place on the first juridical day of February, 1909, and the clerk of the corporation shall be the first returning officer.

Present mayor, &c., to remain in office.

11. The present officers of the corporation of the town of St. Laurent shall remain in office until legally dismissed or discharged by the council.

Present officers, &c., to remain in office.

Authority to  
contract cer-  
tain loan.

**12.** Notwithstanding any other act to the contrary, the town of St. Laurent is authorized to borrow by resolution of the council, a sum not exceeding fifteen thousand dollars which shall be used for the building of a town hall, for the extinction of the present floating debt of the corporation, and the surplus, if any, shall be employed for purposes of general utility.

Pending  
cases not  
affected, &c.

**13.** This act shall not affect pending cases, and shall come into force on the day of its sanction.

## CHAP. 95

An Act to revise and consolidate the charter of the town of Shawinigan Falls

[Assented to 25th April, 1908]

Preamble.

**WHEREAS** the corporation of the town of Shawinigan Falls has, by petition, represented that it wishes to be governed in future by the provisions of the Cities and Towns' Act, 1903, with certain additional powers ; and whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

### SECTION I

Persons in-  
corporated.  
Name.

**1.** The inhabitants and ratepayers of the town of Shawinigan Falls and their successors are and shall remain incorporated under the name of " The corporation of the town of Shawinigan Falls."

3 Ed. VII, c.  
38 to apply.

**2.** The town shall be subject to the operation of the Cities and Towns' Act, 1903, and the amendments thereof.

### SECTION II

#### TRANSITORY PROVISIONS

2 Ed. VII, c.  
56, &c., re-  
pealed.

Proviso.

**3.** The act incorporating the town of Shawinigan Falls, the act 2 Edward VII, chapter 56 and its amendments, are repealed, but all the powers, privileges, exemptions and advantages granted by the town under its former charter and its amend-

ments, to any persons whomsoever shall not be affected by this act.

4. The corporation hereby constituted, succeeds to the rights, privileges, obligations, claims and actions of the corporation constituted by the act mentioned in article 3. Rights, &c., to which corporation succeeds.

5. The present mayor and aldermen of the town of Shawinigan Falls and their successors in case of vacancy, shall remain in office until replaced under the provisions of this act. Present mayor, &c., to continue in office.

6. The present officers and employees of the town shall remain in office until dismissed or replaced by the council. Present officers, &c., to continue in office.

7. The by-laws, resolutions, *procès-verbaux*, notes, accounts for taxes and dues, ordinances and other municipal acts whatsoever in force in the town of Shawinigan Falls at the sanction of this act, shall continue to have their full effect until set aside, repealed, amended, annulled or fulfilled. By-laws, &c., not affected.

8. The notes, bonds, obligations, undertakings, covenants, contracts, subscribed, accepted, endorsed or consented by the town of Shawinigan Falls until the coming into force of this act shall continue to have their legal effect. Obligations, &c., not affected.

### SECTION III

#### BOUNDARIES OF THE TOWN AND WARDS

9. The town of Shawinigan Falls shall comprise the same territory as heretofore which is contained within the boundaries hereafter mentioned : Boundaries of town.

Starting from a point on the north bank of the river St. Maurice on the line dividing the township of Shawinigan from the Seignior of Cap de la Madeleine and the division line between lots Nos. 628 and 624, 625, 626 and 627 of the official cadastral plan and book of reference of the parish of Ste. Flore ; thence in a south-westerly direction following the windings of the river St. Maurice descending to a point situate on the south shore of the river Shawinigan at the place where the said river falls into the river St. Maurice ; thence continuing in a north-easterly direction and following the windings of the river Shawinigan and ascending to its intersection with the dividing line between the township of Shawinigan and the seignior of Cap de la Madeleine, thence following the said division line to the point of departure.

10. The territory of the town of Shawinigan Falls shall also comprise the four islands situated on the river St. Maurice and Town to include certain islands.

bearing the Nos. 1050, 1051, and 1052 of the official plan and book of reference of the said parish of Notre-Dame du Mont Carmel, in the county of Champlain, and No. 629 of the official plan and book of reference of the parish of Ste. Flore.

**Jurisdiction to extend to middle of certain river, &c.** **11.** The jurisdiction of the corporation shall extend to the middle of the river St. Maurice from the river Shawinigan and of the branch of the river St. Maurice between the island known as No. 1052 of the parish of Notre-Dame du Mont Carmel.

**Wards :** **12.** The town shall be divided into three wards for the purpose of representation in the town council, to wit: ward No. 1, ward No. 2 and ward No. 3.

**Boundaries of wards.**  
**No. 1.**

**13.** Such wards shall be bounded as follows :

1. Ward number one by the south side of the fourth street and the prolongation of the south side of the fourth street, on the west as far as the river St. Maurice and on all the other sides by the river St. Maurice ; including all the islands situated in the said river and forming part of the town.

**No. 2.**

2. Ward number two by the north side of the fourth street and the prolongation of the north side of the fourth street, westerly, as far as the river St. Maurice ;

**No. 3.**

3. Ward number three by the St. Maurice Valley Railway line and on all the other sides partly by the division line between the town of Shawinigan Falls and the parish of Ste. Flore and of the village of Shawinigan Bay and the parish of Notre-Dame du Mont Carmel.

**Aldermen.**

**14.** The number of aldermen shall be six, two for each ward.

**First general election, &c.**

**15.** The first general election shall take place on the first juridical day of February, 1909, when the whole council shall be renewed. The members of the council in office shall continue in office until that date ; the returning-officer for such election shall be the secretary-treasurer of the council.

**First session of council.**

**16.** The first session of the council shall be held at the town hall, being convened as for a special meeting.

**Id., s. 424, par. 11, re-placed.**  
**License, &c., of non-resident traders.**

**17.** Paragraph 11 of article 424 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

" 11. To prevent all persons residing outside the municipality from carrying on their trade or business within the municipality without being authorized and without having obtained a number for each and every vehicle used in the municipality for the purpose of such trade or business; and to prevent all

persons residing outside the municipality and not otherwise taxed under this act from working in the municipality by the piece, by the day, by the week or month or year without having obtained a license for which the council may charge an annual sum of three dollars, and in the event of the salary or wages earned during the year exceeding five hundred dollars, the sum of one dollar for each additional one hundred dollars, provided that there be no unjust discrimination against such person.”

**18.** Article 412 of the Cities and Towns’ Act, 1903, is replaced, for the town, by the following :

**“ 412.** The council is vested with all the necessary powers for the establishment and management of a system of lighting by gas, electricity or otherwise, for the requirements of the public and of private individuals or companies desiring to light up their houses, buildings or establishments, and for selling the surplus power produced by the power generating the electricity which it may have acquired or established for such purpose, to the municipality of the village of the Shawinigan Bay or to its inhabitants and to the Grand’Mère Electric Company or its successors.”

**19.** Paragraph 1 of article 383 of the Cities and Towns’ Act, 1903, is replaced, for the town, by the following :

**“ 1.** To regulate the height of buildings, stacks, chimneys or other structures, to prevent the construction or maintenance of buildings, stacks, chimneys or other structures that are not of the required stability and provide for their summary abatement or destruction ; to prescribe the depth of cellars and basements, the materials and methods of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, materials and construction of party walls, partition and outside walls, the size and materials of floor beams, girders, piers, columns, roofs, chimney flues and heating apparatus ; to regulate the architecture, dimensions and symmetry of buildings in certain streets, and prescribe that in certain streets the new buildings must be at a certain distance from the line of the street ; to compel the proprietors to submit the plans thereof, and previously obtain a certificate in writing from the building inspector or any other officer ; to prohibit the construction of buildings and structures not conforming to such by-laws, and to direct the suspension of the erection of any such building as does not conform to such regulations, and to cause the demolition of any building not conforming to such by-laws, if necessary.”

Id., s. 477,  
replaced for  
town.

Taxes on  
stallions, &c.

**20.** Article 477 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" **477.** The council may impose and levy an annual tax, to be fixed by by-law, on every stallion kept for breeding, on every horse aged three years and over, on every bull kept for breeding, on every head of horned cattle over two years of age, on every dog and on every vehicle kept in the municipality. The council may impose a higher tax on bitches than on dogs."

Id., s. 525,  
replaced  
for town.  
Approval of  
by-laws, &c.

**21.** Article 525 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Every by-law authorizing a loan must before coming into force, be approved by the majority in number and in real estate value of the electors of the municipality who have voted and who are proprietors. Spinsters, and widows who are proprietors, shall have the right to vote upon any by-law submitted to the approval of the electors provided they possess in other respects the qualifications of municipal electors.

Proviso.

Provided however that the following corporations, viz : the Shawinigan Water and Water Company, the Royal Aluminum Company, Limited, the Belgo-Canadian Pulp Company and the Shawinigan Carbide Company,, by reason of the immoveable property which they respectively possess which is liable to general or special assessment and of sufficient value to qualify for voting at a municipal election, shall when a by-law is submitted to the electors for approval, have the right to vote through their authorized agents or attorneys, if they give the names of such agents or attorneys to the secretary-treasurer five days before the date fixed for the voting.

Certain lands  
exempt from  
taxes.

**22.** All and every the lands occupied by the Shawinigan Water and Power Company, the Royal Aluminum Company, Limited, the Belgo Canadian Pulp Company and the Shawinigan Carbide Company, and used in connection with the industries carried on by the said companies in the town, and including water-power dams, electric power posts, electric wires, transmission lines, as well as all the buildings, plant and machinery of every kind which may be now or hereafter placed thereon and required and used for the purpose of the said industries, are hereby exempt from municipal taxes for a period of twenty years to be reckoned from the 26th March, 1902. The above described immoveable property is known as lots Nos. 1, 2 and 3 on the subdivision plan of cadastral lot No. 637, and also lots Nos 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411 on the subdivision plan of cadastral lot No. 628 of the official plan and book of reference of the parish of Ste. Flore, and the islands



known as Nos 1050, 1051 and 1052 on the official plan and book of reference of the parish of Notre Dame du Mont Carmel and also that piece of ground occupied by the Shawinigan Carbide, Co., known as part of cadastral lot No. 624 on the cadastral plan of Ste. Flore.

**23.** It is also hereby provided that, in consideration of Taxes payable by certain companies the exemption provided in the preceding section of this act, the Shawinigan Water and Power Company, the Royal Aluminum Company limited, the Belgo-Canadian Pulp Company and the Shawinigan Carbide Company, shall pay the following sums in lieu of municipal taxes on the said properties, namely: the Shawinigan Water and Power Company, the sum of \$1,333.33½; the Royal Aluminum Company (limited) the sum of \$666.66½; the Belgo Canadian Pulp Company, the sum of \$1,000.00, and the Shawinigan Carbide Company the sum of \$400.00.

Provided, however, that in case the above named companies *Proviso.* extend their mills, plants and power before the expiration of the above period of twenty years, the amount then to be paid by the said companies respectively, shall be calculated proportionately to the extensions to their respective mills, plants and powers.

**24.** Article 534, of the Cities and Towns' Act, 1903, is *Id., s. 534, amended for town.* amended for the town by adding thereto the following paragraphs :

"The lands known as the Peninsula, occupied and used by the Shawinigan Water and Power Company for the development of the water power of the municipality. *Certain properties not expropriable.*

The lands, occupied and used by the Shawinigan Water and Power Company, being a strip of land situate alongside and following the sinuosities of the St. Maurice river and the Shawinigan river, and measuring a width of one hundred feet at right angles with the watermark of the St. Maurice river and the Shawinigan river as described on the plan and report of J. P. B. Casgrain, civil engineer, and special superintendent appointed to report upon the incorporation of the municipality of the village of Shawinigan Falls, and duly deposited with the Provincial Secretary.

The lands occupied and used by the Shawinigan Water and Power Company, being three islands situate in the St. Maurice river, bearing the Nos. 1050, 1051 and 1052 of the official plan and book of reference of Notre-Dame du Mont-Carmel.

**25.** The properties for which there exists a commutation *Valuation of* of taxes or which are exempt or may be exempt from annual *certain properties.*

taxes by paying in lieu thereof a fixed sum of money, shall be considered as taxable immoveables of the city for the purposes provided for in article 526 of the Cities and Towns' Act, 1903, and their value shall be established according to the proportion which the annual sum paid to the city, represents at the rate of the real estate tax imposed at the time on the other immoveables property of the municipality.

Coming into  
force.

**26.** This act shall come into force on the day of its sanction.

## CHAP. 96

An Act to amend the charter of the town of Longue-Pointe  
and to confirm certain acts of its council

*[Assented to 14th April 1908]*

Preamble.

**W**HEREAS the town of Longue-Pointe has, by its petition, represented that it is necessary to amend its charter, the act 7 Edward VII, chapter 80, and to remove all doubts as to the validity of certain acts performed by its council or under its authority, and it is desirable that the town be erected into a school municipality ;

Whereas it is expedient to grant the prayer contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c.  
80, s. 25,  
amended.  
Boundary of  
ward, No. 7.

**1.** The eighth paragraph of section 25 of the act 7 Edward VII, chapter 80, is replaced by the following :

"Ward No. 7 shall be bounded on the north-west by the north-western boundary of the parish of Longue-Pointe ; on the south-east by the River St. Lawrence ; on the north-east by the parish of Pointe-aux-Trembles ; on the south-west by the south-western boundary of lot No. 400a of the official plan and book of reference for the parish of Longue-Pointe, and of the part of lot No. 401 now held by W. C. Glasham."

By whom  
certain nom-  
ination pa-  
pers to be  
signed, &c.

**2.** Until there are in each of the wards No. 4 and No. 5 of the said town at least seventeen electors qualified to vote and entered on the electoral list of the municipality for such ward, it shall be sufficient in those two wards, notwithstanding article 166 of the Cities and Towns' Act, 1903, that the nomination paper of a candidate for the office of alderman be signed by the majority of the electors qualified to vote and entered

on the electoral list of the municipality for the ward where the election takes place. The other formalities prescribed by the Cities and Towns' Act, 1903, for the nomination of candidates, shall be observed.

**3.** Within the eight days following the coming into force of this act, the mayor shall fix a day for the nomination of the candidates and for the election, in the event of contestation, in ward No. 5, and such election shall be proceeded with in accordance with article 59 of the Cities and Towns' Act, 1903.

Nomination  
day for cer-  
tain candi-  
dates, &c.

**4.** If the electors of a ward do not elect an alderman after having been called upon to do so, under article 59 of the Cities and Towns' Act, 1903, the council shall, by resolution, appoint a person from among the eligible persons of the municipality to fill the vacancy.

Appointment  
of alderman  
in certain  
cases.

**5.** The following sections are inserted in the said act, after section 25 :

Id., ss. in-  
serted after  
s. 25.

**" 26.** Article 55 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

3 Ed. VII, c.  
38, s. 55,  
replaced for  
town.

**" 55.** If the office of mayor becomes vacant, the clerk of the municipality shall, within eight days from the occurrence of such vacancy, call a meeting of the council for the purpose of electing one of the members of the council to fill the office of mayor during the remainder of his term of office, and the council shall elect such mayor at such meeting."

Vacancy in  
office of  
mayor.

**" 27.** Article 300 of the Cities and Towns' Act, 1903, shall not apply to the town of Longue-Pointe."

Id., s. 300  
not to apply.

**6.** By-law No. 6 authorizing a loan of thirty-five thousand dollars and, further the issue of forty bonds of one thousand dollars each, to be used in redeeming the fifty bonds issued by the corporation of the parish of Longue-Pointe, dated the first of February, 1906, passed by the council on the 5th day of November, 1907, and approved by the municipal electors who are proprietors, on the twenty-ninth November, 1907, and by the Lieutenant-Governor in Council on the 30th December, 1907, is declared valid.

By-law No. 6  
of February  
1st, 1906,  
declared  
valid.

**7.** The by-laws, resolutions and other acts made, passed and done by the council or under its authority, since the municipal elections in the said town on the twentieth of August, 1907, shall have the same value as if aldermen had been elected to represent wards No. 4 and No. 5 in the council.

Effect of  
certain by-  
laws. &c.

Contribution  
to winter  
road on St.  
Lawrence,  
&c.

**8.** The town of Longue-Pointe shall contribute towards the costs incurred for the marking out and maintenance of the winter road on the River St. Laurent between Boucherville, and the said town, and shall be reimbursed therefor as if the town were a rural municipality.

Town to be  
separate  
school muni-  
cipality.

**9.** The town of Longue-Pointe is hereby detached from the school municipality of the parish of St. François d'Assise de la Longue-Pointe, in the county of Hochelaga and shall from 1st July 1908 constitute a separate school corporation under the name of "The School Commissioners for the municipality of the town of Longue-Pointe."

62 V., c. 28,  
to govern, &c.

**10.** Such school corporation shall be governed by the Education Act, with the exception that articles 96 (as amended) 97, 98, 99, 100, 101 and 104, shall not apply to the division of the municipality enacted by this act.

Election of  
school com-  
missioners.

**11.** The rate-payers of such school municipality shall, on the first Monday or, in the event of any impediment, on one of the other juridical Mondays of the month of July, 1908, elect their commissioners in the manner prescribed by articles 150 and following of the Education Act. Otherwise such commissioners shall be appointed by the Lieutenant-Governor in Council on the recommendation of the Superintendent of Public Instruction.

Appointment  
in default of  
election.

Coming into  
force.

**12.** This act shall come into force on the day of its sanction.

## CHAP. 97

### An Act to amend the charter of the town of Notre-Dame de Grâces

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS the town of Notre-Dame de Grâces has, by its petition, represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter, the act 6 Edward VII, chapter 53, and whereas it is expedient to grant the prayer of the said petition; Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

6 Ed. VII, c.  
53, s. 12, re-  
placed.

**1.** Article 12 of the act 6 Edward VII chapter 53, is replaced by the following :

"12. Article 108 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

"108. No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the twelve months immediately preceding the day of his nomination, he has been seized of and has possessed as proprietor in his own name or in that of his wife, immoveable property in the municipality of the value of one thousand dollars after payment or deduction of all charges imposed thereon ; such qualification required by this article to be established by the valuation roll in force at the date of the nomination."

3 Ed. VII,  
c. 38, s. 108,  
replaced for  
town.  
Qualification  
of mayor, &c.

2. The following section is inserted in the act 6 Edward VII, chapter 53, after section 14 :

"14a. Article 518 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

"518. Subject to articles 4643d and following of the Revised Statutes the council may, by a resolution, exempt from municipal taxes, for a period not exceeding thirty years, any person who carries on any industry, trade or enterprise whatsoever, or agree with such person for a fixed sum of money, payable annually, for any period not exceeding thirty years, in commutation of all municipal taxes.

It may exempt the poor of the municipality from the payment of taxes.

The exemptions or agreements authorized by this article shall not extend to work upon water-courses, boundary ditches, fences, drains, sidewalks, or roads connected with taxable property so exempted or commuted."

6 Ed. VII, c.  
53, s. added  
after s. 14.

3 Ed. VII,  
c. 38, s. 518,  
replaced for  
town.  
Certain  
exemptions  
from taxes.

Exemption  
of poor from  
taxes.  
Limitation  
of exemp-  
tions.

3. Section 20 of the act 6 Edward VII, chapter 53, is replaced by the following :

"20. Article 386 of the Cities and Towns' Act, 1903, is amended for the town :

6 Ed. VII,  
c. 53, s. 20,  
replaced.

3 Ed. VII,  
c. 38, s. 386,  
amended for  
town.

a. By replacing paragraph 1 by the following :

Subject to article 4616a of the Revised Statutes to order the opening of new streets, boulevards, avenues or lanes; the widening, extension or changing of existing streets boulevards, avenues or lanes, and to prescribe the manner of making or maintaining the streets, boulevards, avenues or lanes of the municipality at the expense of the rate-payers of any ward or of all the wards crossed by such streets, boulevards, avenues or lanes, or of the proprietors of lots or lands situate within the limits of such ward or wards, or at the expense of the proprietors of lots or lands adjacent to such streets, or upon the owners of lots or lands situate within a radius of one thousand feet on

Opening of  
new streets,  
&c.

each side of the said boulevards, avenues or lanes, the whole as the council may deem expedient according to such plans and conditions as it may deem advisable.

b. By adding the following paragraph thereto :

Expropriation of private streets, &c.

" 33. To expropriate the private streets or avenues that might exist or be opened on the lands and lots situate within the municipality and charge the cost of such expropriation upon the proprietors of the lots fronting or bordering on such streets or avenues, provided such by-law be passed at the request of the majority in number and in value of the proprietors of the lots who may be liable, under this article, for the cost of the said expropriation."

Id., s. 491, replaced for town.

General collection roll.

4. Article 491 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" 491. It is the duty of the treasurer to make a general collection roll for each ward, each year, at the time fixed by the council, including all taxes, both general and special, then imposed and to be levied in each ward, and mentioning them separately.

Special collection roll.

He also makes a special collection roll, whenever any special tax has been imposed, after the making of the general collection rolls, or whenever he is ordered so to do by the council. Such special roll shall exist as a separate roll only until the date fixed by the council for the preparation of the general rolls and it must then be included in the new general rolls which the treasurer shall prepare."

Cost of opening streets, &c.

" 491a. When streets or sidewalks are opened, made or maintained in any ward of the town, the cost of such opening, making or maintenance shall be levied in the said ward by means of a special tax or general tax as the council may determine."

Cost of certain hydrants.

" 491b. When a hydrant is so situated as to be used by another ward or wards, the cost thereof shall be levied equally in the said wards."

Cost of certain electric lamps.

" 491c. When an electric lamp is placed on a street dividing two or more wards, the cost of such lamp shall be borne by the wards so divided ; but when such lamp is placed in any part of a ward not forming the boundary of another ward, the cost of such lamp shall be borne by the said ward."

By-law No. 40, of Aug. 14th, 1907, ratified, &c.

5. By-law No. 40 passed on the fourteenth day of the month of August 1907, and approved by the electors of the town who are proprietors, granting a fifty years' franchise to the Montreal Park and Island Railway Company for the operation

of a street railway system in certain streets of the town of Notre-Dame de Grâces, is declared to have been validly passed and to be in force and shall bind the corporation.

**6.** The following article is added for the town after article 537 of the Cities and Towns' Act, 1903. Id. s. added for town after, s. 537.

**537a.** In the case of opening widening or prolonging of any street, avenue or lane in the town of Notre-Dame de Grâces, three arbitators only shall be required to estimate the compensation to be paid for the expropriation to be made upon or along each such street, avenue or lane, which arbitators shall be appointed as follows : one by the council, one by the majority of the parties expropriated, and the third by the first two, or in default to do so, then by a judge of the Superior Court on the request of any interested party without prejudice to the right of any expropriated party of recusing the arbitrator appointed by the majority of the expropriated parties." Arbitrators in case of expropriation.

**7.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 98

An Act to incorporate the town of Limoilou

[Assented to 25th April, 1908]

**WHEREAS**, the corporation of the municipality of Limoilou, in the county of Quebec, has, by its petition represented : Preamble.

That, in view of the increase of the population, it is expedient that the municipality of Limoilou be incorporated as a town for all municipal purposes, under the name of "The Town of Limoilou" ;

That the situation of the municipality of Limoilou, in the county of Quebec is an exceptional one, comprising two portions, consisting of land under cultivation called the Gros Pin and the Canardièrre, and two other parts, one of which includes the village of Saint Zéphirin de Stadacona and the other the village of Saint-Charles de Limoilou ;

That the provisions of the Municipal Code have ceased to meet the requirements of the various parts of the said municipality of Limoilou, in the county of Quebec ;

And whereas it is expedient that the petition of the said municipality of Limoilou be granted and that such municipality of Limoilou, in the county of Quebec, be incorporated

as a town under the provisions of the Cities and Towns' Act, 1903, with the exceptions to said act hereinafter set forth :

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## SECTION I

### INCORPORATION OF THE TOWN

- Persons in-** **1.** The territory comprised within the limits hereinafter  
**corporated.** specified is erected into a town municipality, under the name  
**Name.** of "The Town of Limoilou," and the inhabitants of the said  
municipality are incorporated under the name of "The Corporation of the Town of Limoilou."
- Municipality** **2.** The town is separated from the county of Quebec for  
**separate** all municipal purposes.  
**from Quebec**  
**county.**
- 3 Ed. VII, c.** **3.** The corporation of the town of Limoilou shall be  
**38, to apply.** governed by the provisions of the Cities and Towns' Act,  
1903.

## SECTION II

### TRANSITORY PROVISIONS

- By-laws, &c.,** **4.** Except in so far as as they may be inconsistent with this  
**to continue** act, all by-laws, *proces-verbaux*, resolutions, orders, lists, va-  
**in force.** luation rolls, assessment rolls, ordinances, decisions rights,  
and other matters or things done or entered into by the cor-  
poration of the municipality of Limoilou, affecting the terri-  
tory hereinafter described, or its inhabitants, shall remain  
in force in the town of Limoilou until repealed, replaced  
or amended by the corporation.
- Contracts,** The contracts, debentures, obligations, accounts and dues,  
**&c., not** shall continue to have their legal effect.  
**affected.**
- Mayor, &c.,** **5.** The mayor and councillors of the municipality of Li-  
**to remain in** moilou, shall remain in office and act as mayor and councillors  
**office, &c.** of the town of Limoilou, until their successors are elected  
under this act.
- Municipal** **6.** The municipal officers of the municipality of Limoilou  
**officers to re-** shall continue to perform their respective duties throughout  
**main in office,** the territory of the town until they are replaced in accordance  
**&c.** with this act.

- Corporation** **7.** The corporation succeeds to all the rights and obliga-



tions of the municipality of Limoilou, in so far as the territory hereinafter described is concerned. succeeds to  
certain  
rights.

### SECTION III

#### BOUNDARIES AND WARDS OF THE TOWN

8. The boundaries of the town of Limoilou shall be the same as those of the municipality of Limoilou, to wit : Boundaries  
of town.

On the east the public road running along lot No. 737 of the official cadastre of the parish of Beauport, the public road in front of the Beauport Asylum and the division line between numbers Nos. 589 and 590 of the official cadastre of St. Roch North ;

On the north, the northern boundaries of lots Nos. 589, 585, 584, 581, 580, 567, 566, 547, 509, 425 and 426 of the official cadastre of St. Roch North ;

On the west, the western boundaries of lots numbers 412, 413, 415, 416, 417, 418, 419, 420 and 425 of the official cadastre of St. Roch North and St. Michel's stream to its junction with the river St. Charles ;

On the south, the river St. Charles, following the line of low water mark, to the East of Dorchester bridge and high water mark to the West of the said bridge.

9. The town shall be divided into four wards for the purpose of representation, to wit: wards No. 1, No. 2, No. 3 and No. 4.

Ward No. 1, shall comprise the territory included within a line starting from Dorchester bridge and following the middle of the Beauport road to the point of intersection of the said road with the 11th avenue, and thence descending the 11th avenue to the river St. Charles including the two sides of the said 11th avenue.

Ward No. 2, shall comprise the territory included within a line starting from Dorchester bridge and following the middle of the Beauport road to the intersection of the said road with sixth street, and thence to the westward, following the middle of sixth street, to the Charlesbourg road and ascending the said Charlesbourg road to the road called "Route des Commissaires" and following the said road to the division line between cadastral lots Nos. 434 and 410, 408, 407, 406, 405, 404, 390, 389, 388, 387, 386, 380, 379, 378, 377 and 375 and thence following the said division line between the said lots to the river St. Charles.

Ward No. 3, shall comprise the territory included within the line starting from the river Saint Charles and following

the western boundary of the municipality to the route called "Route des Commissaires," and thence to the eastward following the said road to the division line between the cadastral lot No. 434 and lots Nos. 410, 408, 407, 406, 405, 404, 390, 389, 388, 387, 386, 380, 379, 378, 377 and 375 and to the southward following the said division line to the river St. Charles.

**Ward No. 4.** Ward No. 4, shall comprise all the territory included to the north of a line starting from the "Route des Commissaires" at the extreme west of the said road and following the middle of the said road to the Charlesbourg road; thence turning to the southward following the Charlesbourg road to the intersection of the said road with sixth street; and thence turning to the eastward, following the middle of sixth street, to the intersection of the said street with the Beauport road; and thence following the Beauport road to the eastward as far as the division line of lot No. 563 of the cadastre; and thence descending in a straight line, following the said line of the said lot No. 563, to the river St. Charles, thence following the river St. Charles to the eastern extremity of the municipality of Limoilou.

**Annexation  
by-law, &c.**

**10.** Upon the petition of one-fifth of the rate-payers of the whole municipality of Limoilou or of a part of the said town, praying to be annexed to any municipality in the neighborhood, the council of the town of Limoilou shall prepare a by-law of annexation relating to the town or a part thereof as the case may be, and such by-law must be approved by the majority in number and in value of the rate-payers of the whole town who have voted on such by-law.

#### SECTION IV

##### ELECTION OF MAYOR AND ALDERMEN

**First municipal  
election.**

**11.** The first general election of mayor and aldermen shall take place on the fourth Monday, being a juridical day, following the coming into force of this act.

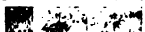
**Date of nominations.**

The nominations shall take place at ten o'clock in the forenoon on the said day, and the poll, if necessary, on the eighth juridical day following, between ten o'clock in the forenoon and five o'clock in the afternoon.

**Place of  
nominations.**

The nomination for the first general election, and the polling, if necessary, shall take place at the place indicated by the returning-officer. The list of the electors having a right to vote at the first election shall be that in force for the municipal election of the 13th January, 1908.

**First return-  
ing-officer.**



**12.** The returning officer for the first general election, shall

be the secretary-treasurer of the municipality of Limoilou, then in office.

## SECTION V

### SESSIONS OF THE COUNCIL

**13.** The first general session of the council shall be held at the place fixed by the mayor elect, and shall take place at eight o'clock in the evening on the eighth juridical day following the proclamation of the persons elected. First session of council.

## SECTION VI

### MEMBERS OF THE COUNCIL

**14.** Paragraph 8 of article 107 of the Cities and Towns' Act, 1903, is replaced for the town by the following : 3 Ed. VII, c 38, s. 107, par. 8, replaced for town.  
 "8. Whosoever has no residence or principal place of business in the municipality for at least twelve months previous to the election or nomination. Nevertheless any person domiciled in a city or town municipality contiguous to the town of Limoilou, may be a member of the council of the town of Limoilou if such person possesses the other necessary qualifications and does not hold any municipal office in the municipality of his domicile." Certain non-residents. Proviso.

## SECTION VII

### LOANS

**15.** Article 531a of the Cities and Towns' Act, 1903 as enacted by the act 7 Edward VII, chapter 45, section 4, is replaced for the town by the following : as Id., art. 531a replaced for town.

"**531a.** The council may, by mere resolution and without taking the vote of the rate-payers, issue notes payable at such places, terms and conditions as they may deem proper, for the purpose of settling accounts and other current matters, provided the total amount of such notes shall not at any time exceed the sum of four thousand dollars." Issue of notes, &c., by resolution.

**16.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 99

## An Act to incorporate the town of Montcalm

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS the corporation of the parish of Notre-Dame de Québec has, by petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, and has prayed to be incorporated as a town in accordance with the provisions of the Cities and Towns' Act, 1903, and to be given certain powers not granted by the said act, and further to exclude certain of the provisions thereof ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Short title.

**1.** This act shall be cited as " The Charter of the Town of Montcalm, 1908."

## Territory erected into town.

**2.** The territory comprised within the actual limits of the municipality of the parish of Notre-Dame de Quebec is erected into a town municipality, under the name of " The Town of Montcalm", and the inhabitants and ratepayers of the said municipality and their successors are and shall remain constituted a town corporation under the name of " The Corporation of the Town of Montcalm."

## Persons incorporated. Name.

## Boundaries.

**3.** The territory of the town of Montcalm is bounded by the city of Quebec, the parish of St. Malo, the parish of St. Colombin of Sillery, the parish of Ste. Foye and the municipality of the Little River.

## 3 Ed. VII, c. 38, to apply, &amp;c.

**4.** The town shall be governed by the provisions of the Cities and Towns' Act, 1903, except such of its provisions as may be inconsistent therewith.

## Town succeeds to certain rights, &amp;c.

**5.** The corporation hereby constituted succeeds to the rights, privi'eges, obligations, property, claims and actions of the corporation of the parish of Notre-Dame de Quebec.

## Present mayor, &amp;c., to remain in office.

**6.** The present mayor and councillors of the parish of Notre-Dame de Quebec shall remain in office until replaced under the provisions of this act.

## Present mun-

**7.** The present municipal officers and employees of the said

parish shall remain in office until they resign, are dismissed or replaced by the council.

municipal officers,  
&c., to re-  
main in of-  
fice.

8. The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and dues, ordinances, plans and other acts and municipal documents whatsoever, passed or consented to by the council of the said parish and now in force, shall continue to have their full effect until cancelled, amended, repealed, or accomplished.

Certain by-  
laws, &c.,  
to continue  
in force, &c.

9. The notes, bonds, obligations, undertakings, covenants or contracts subscribed, accepted, endorsed or consented to by the said parish, up to the time of the coming into force of this act, shall continue to have their legal effect.

Certain oblig-  
ations to con-  
tinue to have  
legal effect.

10. The territory of the town shall be divided into four wards, designated as wards Nos. 1, 2, 3 and 4, the boundaries whereof shall be as follows :

Ward No. 1, shall be bounded to the north-west by the division line between the city of Quebec and the town of Montcalm, and by the parishes of St. Malo and Ste. Foye and the municipality of the Little River ; to the south-east by the St. Foye road ; to the south-west by the division line between the parish of Ste. Foye and the town of Montcalm ;

Ward No. 2, shall be bounded to the north-west by the Ste. Foye road ; to the east by the division line between the city of Quebec and the town of Montcalm ; to the south-east by St. James street ; to the south-west by Maple Avenue ;

Ward No. 3, shall be bounded to the north-west by St. James street ; to the east by the division line between the city of Quebec and the town of Montcalm ; to the south-east by St. Louis road ; to the south-west by Maple Avenue ;

Ward No. 4, shall be bounded to the north-west by Ste. Foye road ; to the north-east by Maple Avenue ; to the south-east by the city of Quebec and the parish of St. Colombin of Sillery ; to the south-west by the division line between the municipality of Ste. Foye and the town of Montcalm.

11. There shall be two aldermen for each of such wards.

Two alder-  
men per  
ward.

12. Article 47 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

3 Ed. VII, c.  
38, s. 47, re-  
placed for  
town.  
Election of  
mayor, &c.

" 47. The mayor shall be elected by the municipal council for two years.

13. The first general election for aldermen of the town shall be held on the first juridical day of February, 1909, and until such date the present councillors shall remain in office.

First election  
for aldermen,  
&c.

First return-  
ing-officer.

**14.** The returning-officer for the first general election shall be the then secretary-treasurer of the town.

First session  
of council.

**15.** The first general session of the council of the town shall be held at the usual place of meeting of the present council, on the first Monday of the first month after the coming into force of this act.

Crossing  
water-pipes  
of Quebec  
city, &c.

**16.** Should the town, in the course of construction and extension of its sewers and water-works, be forced to cross the pipes of the city of Quebec, it must, before crossing, warn the water-works engineer of the city, and he may determine how the works at the crossing shall be performed, but he must so determine within a delay of one week from such warning, without affecting pending cases.

Id., s. 402,  
replaced for  
town.  
Placing of  
distribution  
pipes, &c.

**17.** Article 402 of the *Cities and Towns' Act*, 1903, is replaced, for the town, by the following :

" **402.** In all cases the municipality shall lay the distribution pipe to the line of the street and shall have the right to exact payment of the water rate from the proprietor, although the latter may refuse or neglect to connect such pipe with his house or building within the limits of municipality."

Id., s. 409,  
replaced for  
town.  
Special agree-  
ments to sup-  
ply water  
outside town,  
&c.

**18.** Article 409 of the *Cities and Towns' Act*, 1903, is replaced, for the town, by the following :

" **409.** The council may also make special agreements for the supply of water beyond the limits of the municipality, save and except the city of Quebec, provided that the persons, company or corporation with whom such agreements are made, comply with the by-laws respecting the management of the water-works ; provided however, that nothing contained in this article shall authorize the town of Montcalm to change its present water rates for the supply of water within the parish of St. Charles Borromée de Charlesbourg, without the consent of the council of said parish."

Id., s. added  
after s. 420.

**19.** The following is added for the town after article 420 of the *Cities and Towns' Act*, 1903 :

Watering  
cars, &c., of  
street rail-  
way.

" **420a.** To permit under such conditions and restrictions as the council may impose, the passage of any watering car or sprinkler of any street railway through the streets of the municipality."

Loan, &c., for  
certain pur-  
poses.

**20.** For the purpose of completing its water-works and sewers, and organizing a fire brigade, and for the purpose of general improvements, the town is hereby empowered to borrow a sum of seventy thousand dollars. For this purpose bonds or

debentures shall be issued payable within fifty years or less, of the date of issue, at a rate of interest not to exceed five per cent and the loan shall be extinguished by means of a sinking fund of at least one per cent.

21. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 100

An Act to incorporate the town of St. Pierre

[Assented to 25th April, 1908]

**W**HEREAS the corporation of the village of St. Pierre-Preamble.  
aux-Liens has, by its petition, represented that it would be desirable to erect it into a town in accordance with the provisions of the Cities and Towns' Act, 1903 ; to enlarge its limits and to grant it certain powers not granted by the said act ;

Whereas it is in the interest of the ratepayers of the said village that their petition be granted ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The territory bounded on the north-west by lot No. 116 of the cadastre of the parish of Montreal and by the Côte St. Luc road ; on the north-east by the south-west line of lot No. 138 of the cadastre of the parish of Montreal, and the prolongation of the same line across lots numbers 4712, 4709, 4689, 4688 and 4706 of the cadastre of the parish of Montreal, and also by the south-west line of lot No. 1005 of the cadastre of the parish of Saints Anges de Lachine ; on the south-east by the Lachine canal ; on the south-west by the east and the north-east line of lot number 915 of the cadastre of the parish of Saints Anges de Lachine, passing across lots numbers 1035 and 1026 of the said cadastre to the south-east line of the Ontario and Quebec Railway ; thence by said line to the north-east line of lot number 914 of the cadastre of the said parish of Saints Anges de Lachine ; thence by said line crossing the Ontario and Quebec Railway and the Grand Trunk Railway to the south-east line of lot number 913 of the said cadastre of Lachine, and thence by said line and by the north-east line of said lot number 913 and of lot number 912 of the same cadastre to lot number 116 of the cadastre of the parish of Montreal, is erected into a town municipality under the name of " The Name.  
Town of St. Pierre."

Persons incorporated.  
Name.

2. The inhabitants and ratepayers of such territory shall hereafter constitute a town corporation under the name of "The Town of St. Pierre," for municipal purposes only.

Not to affect school, &c., matters.

3. This act shall in no wise affect the territorial division for parochial, school and registration purposes.

3 Ed. VII, c 38, to apply, &c.

4. The town shall be governed by the provisions of the Cities and Towns' Act, 1903, except in so far as they may be specially derogated from by this act and by the inconsistent provisions it may contain.

*Procès-verbaux*, &c., to continue in force.

5. All *procès-verbaux*, assessment rolls, titles, claims, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, contracts, undertakings and all municipal acts whatsoever made and consented to by the council of the corporation of the village of St. Pierre-aux-Liens, shall continue to have their full effect, until repealed, amended, set aside or executed.

Debts, &c., continue in existence.

6. All promissory notes, bonds, debentures, titles or obligations whatsoever as well as all securities and all covenants whatsoever, subscribed, accepted, endorsed, issued or contracted by the said council until the coming into force of this act, shall continue to have their legal effect notwithstanding the promulgation of this act.

Certain franchises, &c., to have force and effect.

7. The franchises granted and the contracts passed between the municipality of the parish of Lachine and the Montreal Park and Island Railway Company or any other person from whom the company may have acquired rights, shall have force and effect.

Corporation succeeds to certain rights and obligations.

8. The town of St. Pierre hereby incorporated succeeds to all the rights and obligations of the corporation of the village of St. Pierre-aux-Liens.

Town council substituted to village council, &c.

9. The council of the town as hereby incorporated is substituted for the council of the said village and succeeds to it in all its rights, powers, privileges and obligations.

Present municipal officers, &c., remain in office, &c.,

10. The present municipal officers and employees of the said village shall remain in office as officers and employees of the town until they resign or are replaced by the council of the said town.

Municipal council.

11. The municipal council of the said town shall consist of six aldermen and of a mayor.



**12.** The territory of the town shall be divided into three Wards. wards as hereinafter set forth :

The East Ward shall comprise all the territory bounded as East ward. follow : on the north-east by the north-eastern limit of the municipality ; on the south-east by the Lachine canal ; on the south-west by the south-west line of lots Nos. 131, 132, 127, (one hundred and thirty-one, one hundred and thirty-two, one hundred and twenty-seven), of the cadastre of the parish of Montreal and by the prolongation of the same straight line as far as the St. Pierre river across lots numbers 126, 4688, 4706, (one hundred and twenty-six, four thousand six hundred and eighty-eight, four thousand seven hundred and six), of the cadastre of the parish of Montreal and thence by the south-west line of lot number 967, (nine hundred and sixty-seven) of the cadastre of the parish of Saints Anges de Lachine ; on the north-west by the Côte St. Luc road.

The Centre Ward shall comprise all the territory bounded as Centre ward. follows : on the north-east by a line south-west of the said east ward ; on the south-east by the Lachine canal ; on the south-west by an imaginary line drawn parallel to the north-east of lot No. 119, (one hundred and nineteen), of the official plan and book of reference of the parish of Montreal, at a distance of one hundred and fifty feet (150) to the west of the said line, the said imaginary line leaving the north-western limit of the municipality in a south-western direction, passing across the Grand Trunk and the Ontario and Quebec railway lines and crossing Windsor street which it divides longitudinally, running as far as Maple street, thence passing by the north-western line of subdivision lots numbers 15, 12, 11b, (fifteen, twelve, eleven b), ten, re-subdivisions one to four inclusively, (10-1 to 4), thirty-nine to forty-three inclusively, (39 to 43), of the said original lot number one hundred and nineteen, (119), and the prolongation of the same line as far as the Lachine road across another portion not subdivided of the said lot number one hundred and nineteen (119), thence by the middle of the said Lachine road as far as the north-west line of the said lot one hundred and nineteen (119), and thence following the last line in a south-westerly direction, as far as the St. Pierre river and finally following the prolongation of such last line as far as the Lachine canal, passing across lots numbers nine hundred and fifty-two, (952), one thousand and twenty-six (1026), and one thousand and thirty-five, (1035), of the official plan and book of reference of the parish of Saints Anges de Lachine ; on the north-west by the Côte St. Luc road and by lot number nine hundred and thirteen (913), of the said cadastre of the parish of Montreal.

The West Ward shall comprise the remaining territory of the West ward. municipality.

Aldermen.

**13.** Each ward shall be represented by two aldermen.

First election.

**14.** The first election for mayor and aldermen of the town shall be held on the fortieth day following that of the coming into force of this act, or if that day is not a juridical day then on the next following day. The first general session of the town council shall be held at the usual place of meeting of the present council.

Returning-officer.

**15.** The returning-officer for the first election shall be the secretary-treasurer of the corporation of the town of St. Pierre-aux-Liens.

Id., s. 384, amended for town.

**16.** The following paragraph is added for the town after paragraph six of article 384 of the Cities and Towns' Act, 1903:

Where ice to be taken.

**"6a.** To determine, in the interest of public health, the places where ice is to be taken."

Id., s. 384, amended for town.

**17.** The following paragraph is added for the town after paragraph 9 of article 384 of the Cities and Towns' Act, 1903:

Carting of certain articles at night.

**"9a.** To order that the carting of all articles that may be dangerous or injurious to public health shall be effected at certain hours in the night, through certain streets of the town."

Id., s. 384, amended for town.

**18.** The following paragraph is inserted for the town after paragraph 14 of article 384 of the Cities and Towns' Act, 1903:

Unwholesome odors.

**"14a.** To prevent, in the interest of public health and that of private individuals, all persons, firms or corporations from allowing unwholesome odors to escape from their factories or workshops.

Certain hospitals forbidden, &amp;c.

To forbid the construction and establishment in the town of hospitals for contagious diseases without the consent of the council of the said town.

Protection of life on streets, &amp;c.

To take all possible means to protect the citizens in the streets and public places and at railway stations."

Id., s. 384, amended for town.

**19.** The following paragraph is added for the town after paragraph 15 of article 384 of the Cities and Towns' Act, 1903:

Prohibition to build stables, &amp;c.

**"15a.** To prevent the construction of stables, sheds, latrines or other similar buildings on any lot in the town at a distance of not less than thirty feet from the street, by indemnifying the owners for the removal of existing buildings if they be not erected at such distance."

Id., s. 384, amended for town.

**20.** Paragraph 20 of article 384 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

" 20. To establish and maintain public baths, privies and wash-houses." Public baths, &c.

To regulate and inspect plumbing generally." Inspection of plumbing.

**21.** The following paragraph is added for the town after paragraph 23 of article 384 of the Cities and Towns' Act, 1903: Id., s. 384, amended for town.

" 23a. The power granted the council of assessing property owners, according to the front line of their land, for defraying the cost of making sewers in any street of the town, may be exercised for every sewer, the construction whereof may be ordered by the council in the projected streets or lanes not yet open to the public whenever the council shall consider that such drain is necessary for public health." Assessment for certain sewers.

**22.** The following paragraph is added for the town after paragraph 30 of article 384 of the Cities and Towns' Act, 1903: Id., s. 384, amended for town.

" 30a. To enter into special arrangements with the city of Montreal, or with one or more other municipalities in order to secure for a definite period an outlet for the drainage of the sewers of the town in consideration of such compensation as may be determined upon, either by mutual agreement or by arbitration ; but, in the event of such outlet being refused, the town shall have the right to empty the contents of the sewers into the St. Pierre river which follow the Lachine canal in a parallel line to carry the sewage to the nearest suitable point on the river St. Lawrence, or elsewhere, across any municipality whatsoever, except the city of Montreal, upon payment for so doing of such reasonable compensation as may be determined by arbitrators ; the whole subject to articles 41 and 44 of the Quebec Public Health Act 1901." Certain arrangements with city of Montreal, &c.

**23.** The following paragraph is added for the town after paragraph 2 of article 386 of the Cities and Towns' Act, 1903: Id., s. 386, amended for town.

" 2a. To close any street or portion of a street or public square and sell the land for the benefit of the town, provided, however, that if any person suffer damage, he shall receive compensation therefor to be fixed by arbitration." Closing of streets, &c.

**24.** The following paragraph is added for the town after paragraph 2a of article 386 of the Cities and Towns' Act, 1903: Id., s. 386, amended for town.

" 2b. Whenever a proprietor gratuitously gives to the town a piece of land for making a street across his property, to exempt wholly or partially by resolution the remainder of such property fronting on the new street from the assessments necessitated by the opening of such street." Certain exemption from assessments.

**25.** Paragraph 1 of article 423 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following : Id., s. 423, amended for town.

**Establishment, &c., of abattoirs, &c.** "1. To establish, regulate and manage, the number of public or private abattoirs within the limits of the municipality, provided in such case that the municipality obtain the consent of the council of the municipality in which it wishes to establish such abattoirs, and to prohibit the establishment of public or private abattoirs in the municipality, or to limit the number thereof and to regulate and inspect the same."

**Borrowing power.**

**26.** Notwithstanding any law to the contrary the municipal council of St. Pierre, may by resolution make one or more loans for general municipal purposes, provided the total of such loan or loans at no time exceed the sum of five thousand dollars.

**Id., ss. added after s. 533, for town.**

**27.** The following articles are added for the town after article 533 of the Cities and Towns' Act, 1903 :

**By-laws, &c., re cost of certain improvements.**

**"533a.** In the case of a special assessment for any improvement whatsoever, the council may, if it deem expedient, by a by-law or resolution, take steps to make, out of the general funds of the municipality, that portion of such improvements situated on or in a part of a street, lane, alley, public place or square intersected by another street, lane, alley, public place or square or otherwise, or which falls upon property exempt from assessment.

**By-laws, &c., establishing mode of assessment in certain cases.**

**"533b.** The town council may, by by-law or resolution, establish an equitable mode of assessment for all improvements, works or services ordered or to be ordered in connection with corner or triangular lots or pieces of ground of irregular shape situated at the intersection or junction of streets, roads and squares, taking into account the situation, value and area of such lots in regard to adjacent lots or pieces of land assessable for such work, improvement and services, and it may impose the amount of any deduction made in connection with such lots or parcels of land upon another property fronting on such improvements or in any other manner as the council may determine."

**Office hours of council office.**

**28.** The council may, by resolution or by-law, fix the days and hours during which the office of the council shall be open.

**56 V., c. 61, repealed.**

**29.** Chapter 61 of the act 56 Victoria, being the act incorporating the village of St. Pierre-aux-Liens, is repealed.

**Certain taxes, &c.,**

**30.** The taxes and assessment levied and imposed on real estate on any part of the territory erected into a town by the present act, in virtue of resolutions or by-laws of the municipality of the village of St. Pierre-aux-Liens and of the parish

of Les Saints Anges de Lachine, are deemed to be regularly <sup>legally levied</sup> and legally levied and imposed for the benefit of the municipality <sup>for certain purposes.</sup> which made such levies.

31. This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 101

### An Act to incorporate the town of Black Lake

[Assented to 25th April, 1908]

**W**HEREAS the corporation of the village of Black Lake, <sup>Preamble.</sup>  
has by its petition, represented that the provisions of the Municipal Code no longer meet the requirements of the inhabitants of the village of Black Lake and they have prayed to be incorporated as a town under the provisions of the Cities and Towns' Act, 1903, and to obtain certain powers not granted by that act ;

Whereas it is in the interest of the inhabitants of the said village of Black Lake, that such petition be granted ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

#### SECTION I

##### INCORPORATION OF THE TOWN

1. This act shall be cited under the name of the " Charter <sup>Short title.</sup> of the town of Black Lake."

2. The territory hereinafter described is erected as a town <sup>Territory.</sup> under the name of "The Town of Black Lake," and constitutes a municipality distinct and separate from the county of Megantic for all municipal and school purposes ; and the inhabitants of the said territory and their successors shall be a corporation under the name of " The Corporation of the <sup>Name of corporation.</sup> town of Black Lake."

3. The town shall be governed by the Cities and Towns' <sup>3 Ed. VII, c.</sup> Act, 1903, in so far as its provisions are not inconsistent with <sup>38, to apply, &c.</sup> the provisions of this act.

#### SECTION II

##### BOUNDARIES OF THE TOWN

4. The territory of the town of Black Lake shall comprise : <sup>Boundaries.</sup>

1. A lot of land forming part of block letter A of the town-

ship of Coleraine ; bounded on the north-east by the north-east line of the said block; on the south-west by a line parallel to the said north-east line carried to a distance of five hundred and twenty feet from the latter ; on the north-west by the north-west line of the said township of Coleraine, and afterwards extending to the south-east to one-half the distance as far as the south-east line of the said block, containing sixty acres of land in superficies, more or less.

2. A lot of land forming part of the block " A " of the township of Coleraine ; bounded on the north-east by a line drawn parallel to the north-east line of the said block to a distance of five hundred and twenty feet from the latter line; on the south-west by a line drawn parallel, to the said north-east line of the said block to a distance of three hundred and seventy-two feet from the latter line; on the north-west by the north-west line of the said township of Coleraine, and on the south-east by Lake Caribou, containing eighty-five acres of land in superficies, more or less.

3. A lot of land forming part of the block " A " of the township of Coleraine ; bounded on the north-east by a line drawn parallel to the north-east line of the said block, to a distance of eight hundred and ninety-two feet to the south-west of the said north-east line of the said block ; on the south-west by a line drawn parallel to the said front north-east line of the said block to a distance of one thousand three hundred and fifty feet; on the north-west by the north-west line of the said township of Coleraine ; and on the south-west by Lake Caribou, the said lot of land containing three hundred and fifteen acres in superficies, more or less.

4. Lot number thirty two of range " B " of the township of Coleraine.

5. Lots numbers 26, 27 and 28 of the sixth range of the township of Ireland, and lot number twenty-six of the seventh range of the said township of Ireland, which numbers of lots are the numbers of the original division of the said township of Ireland ; the entire territory of the said town thus covers an area of about thirteen hundred and sixty acres of land in superficies.

### SECTION III

#### TRANSITORY PROVISIONS

By-laws, &c.,  
to remain in  
force, &c.

5. All the by-laws, *procès-verbaux*, resolutions, lists, valuation rolls, assessment rolls, decisions, rights or other matters or things done or made by the corporation of the village of Black Lake, affecting the territory above described or its inhabitants, shall remain in force in the town of Black Lake,

until repealed, replaced or amended by the corporation of the town of Black Lake.

Notes, bonds, debentures, engagements, agreements or Obligations, contracts, subscribed, accepted, endorsed or consented by ~~the village of Black Lake until the coming into force of this act,~~ <sup>&c., not affected.</sup> shall continue to have their legal effect.

**6.** The mayor, councillors and municipal officers of the Mayor, &c., village of Black Lake, shall perform their respective duties <sup>to continue in office.</sup> until the entry into office of their successors appointed under this act.

#### SECTION IV

##### TOWN COUNCIL

**7.** The town council shall consist of a mayor and eight <sup>Town council.</sup> aldermen, two for each ward.

**8.** Article 108 of the Cities and Towns' Act, 1903, is re-Id., s. 108, placed, for the town, by the following: <sup>replaced for town.</sup>

**" 108.** No person shall be either nominated or elected mayor <sup>Qualification of mayor, &c.</sup> or alderman or occupy such office unless he, during the twelve months immediately preceding the day of his nomination, has been seized of and has possessed as proprietor or under an emphyteutic lease in his own name or in that of his wife, immoveable property in the municipality of the value of six hundred dollars, after payment or deduction of all charges thereon ; such qualification required by this article to be established by the valuation roll in force at the day of the nomination."

**9.** Article 59 of the Cities and Towns' Act, 1903, is replaced, <sup>Id., s. 59, replaced for town.</sup> for the town, by the following :

**" 59.** If any vacancy occur in the office of alderman, the <sup>Vacancies in alderman-ship, &c.</sup> council shall, by resolution, appoint a qualified person for such office to fill the place left vacant by such alderman, until the expiration of the term for which he was elected."

#### SECTION V

##### DIVISION OF THE TOWN

**10.** The town shall be divided into four wards comprised <sup>Wards :</sup> within the following boundaries :

Ward No. 1, shall comprise <sup>No. 1.</sup> all that part of the town situate to the south-east of the Quebec Central Railway road.

- No. 2.** Ward No. 2, shall comprise the lots Nos. 30, 31, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 of the subdivision of cadastral lot No. 322 of the township of Ireland, and the lots Nos. 6, 7, 8, 9, 10 and 11 of the subdivision of the cadastral lot 324 of the township of Ireland and all that part of land situate to the south-west of the lots above designated between the Thetford river and the line of the Quebec Central Railway.
- No. 3.** Ward No. 3, shall comprise all that portion of the said town situate to the north-east of ward No. 2, between the Thetford river and the said line of the Quebec Central Railway.
- No. 4.** Ward No. 4, shall comprise all that portion of the said town situate to the north-west of the Thetford river.

## SECTION VI

### MUNICIPAL ELECTIONS

**First election of mayor and aldermen.** **11.** The first election of the mayor and aldermen shall take place in the meeting room of the council, within forty days following the coming into force of this act, on the day and at the hour indicated by the municipal council of the town of Black Lake, and the returning-officer shall be the secretary-treasurer of the said municipality or, in his default, any other person appointed by the council.

**Id., s. 157, replaced for town.** **12.** Article 157 of the Cities and Towns' Act, 1903, and the second paragraph of article 17 of the said act, are replaced for the town, by the following :

**Term of office of alderman.** "157. One alderman in each ward shall remain in office until the first day of February following the first election, and the second alderman in each ward, elected at the first election, shall remain in office only until the first day of the second month of February of the year 1910. The aldermen, who are to go out of office at the election following the first election, shall be designated by lot in the manner determined by the council.

**Subsequent elections.** The subsequent elections for mayor shall take place every two years, and for an alderman for each ward, every year. The mayor elected at the first election shall remain in office until the first day of the second month of February following such election."

## SECTION VII

### STREETS

**Amendments, &c.,** **13.** Notwithstanding the provisions of article 4616a of the Revised Statutes, as enacted by the act 57 Victoria, chapter 47, section 1, the council may, by by-law, amend or repeal any



*procès-verbal* for any road or street now in existence and de- of certain  
termine the width of each street in particular. The same *procès-ver-*  
shall apply to streets which the council may decide to open *baux, &c.*  
in the future.

## SECTION VIII

## TRADE AND LICENSES

14. The council shall have the right, notwithstanding any *Passing, &c.,*  
law to the contrary, to pass, amend or repeal by-laws to *of certain by-*  
compel tavern-keepers, hotel-keepers or all other sellers of *laws. &c.* and  
intoxicating liquors, on certain days, such as holidays, days of  
public amusement, days when circuses are exhibited, or horse  
races take place, to close their establishments, taverns or hotels,  
and regulate the manner in which such establishments, taverns  
or hotels shall be kept as well as the hours when they shall  
open or close.

## SECTION IX

## LOANS

15. Notwithstanding the provisions of article 525 of the *Borrowing*  
Cities and Towns' Act, 1903, the council may, by a mere *on notes, &c.*  
resolution and without obtaining the vote of the ratepayers,  
borrow any sums not exceeding in all three thousand dollars  
on promissory notes payable to order or to bearer, for the  
purpose of meeting the current expenses of the corporation.

## SECTION X

## PROVISIONS RESPECTING MINES

16. 1. The council may, notwithstanding any law to the *Special tax*  
contrary, make, amend or repeal by-laws to compel every per- *on owners of*  
son or company owning or occupying land comprised within *mining lands.*  
the municipality, whether they mine or do not mine on the said  
land, to pay the municipality a special yearly tax determined  
in the following manner :

a. A sum of fifty dollars, for every person or company not  
mining on its own land, or paying less than ten thousand  
dollars in wages to its employees, yearly ;

b. An additional sum of fifty dollars, for every ten thousand  
dollars of wages paid to the employees, provided the total  
amount of the tax does not exceed two hundred and fifty  
dollars yearly ;

Giving of  
information  
necessary for  
imposition of  
tax, &c.

2. Every person or mining company subject to the said tax shall, on demand by the council, be bound to give it all useful and necessary information to enable it to impose such tax. In default of such person or company to conform to the demand of the council, the latter may impose such tax basing itself on the information it shall be able to obtain in any other manner.

Duration of  
tax.

3. The tax above designated can be imposed only during twenty years after the coming into force of the present act.

Exemption  
from pay-  
ment of tax.

4. The persons and companies subject to this special tax shall be exempt from any other special tax in respect to their mining operations or properties.

Division of  
mining lands.

17. The mining lands for the imposition of the tax above mentioned shall be divided by by-laws adopted by the council.

Tax is special  
tax.

18. The above tax shall be a special tax imposed in addition to any tax the council may impose under this act, and shall be recoverable from the owner, occupant or lessee of the land.

Id., s. 383,  
par. 1-9, 11,  
s. 384, par. 10,  
and s. 386,  
par. 16, not  
to apply.

19. Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9 and 11 of article 383, paragraph 10 of article 384, and paragraph 16 of article 386, of the Cities and Towns' Act, 1903, shall not apply to the town of Black Lake, in so far as the mining operations therein are concerned.

Coming into  
force.

20. This act shall come into force on the day of its sanction.

## CHAP. 102

### An Act to incorporate the town of Acton Vale

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS the corporation of the town of Acton has, by its petition, represented that it is in the interest of the proper administration of the town that it should relinquish its charter, the act 53 Victoria, chapter 73, and place itself under the operation of the Cities and Towns' Act, 1903 ;

Whereas it has also represented that it is necessary to permit it to derogate from certain provisions of the said Cities and Towns' Act, 1903, and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the

Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The inhabitants of the town of Acton as now bounded, Town incor- and their successors, are incorporated as a town corporation porated. under the name of "The Town of Acton Vale". Name.

The town shall be subject to the operation of the said Cities 3 Ed. VII, c. and Towns' Act, 1903, except wherever this act derogates 38 to apply, therefrom or contains provisions inconsistent therewith. &c.

2. The town is separated from the county of Bagot for all Town munici- municipal purposes. cipality se- parate from Bagot.

3. The territory of the town of Acton Vale is divided into Wards. four wards, to wit :

The north ward, shall comprise all that part of the town North ward. north of Moose River, and elect one alderman.

The south ward shall comprise all that part of the town South ward. south of the Grand Trunk Railway track and shall elect one alderman.

The east ward shall comprise all that part of the town East ward. situate to the east of Market street, between the said river and the said Grand Trunk Railway track and shall elect two aldermen the one for seat No. 1 and the other for seat No.2 .

The west ward shall comprise all that part of the town West ward. situate to the west of the said Market street between the said railway track and the said river and shall elect two aldermen the one for seat No. 1 and the other for seat No. 2.

The mayor shall be elected by the people.

Election of mayor.

4. The town of Acton Vale shall be bounded as follows :

Boundaries of town.

On the north by the concession of the fifth range of the township of Acton and by the lot number three hundred and sixty-one (361) of the official cadastre of the parish of St. André d'Acton, in the county of Bagot ; on the south by the concession of the second range of the said township of Acton ; on the east by lot number thirty-one of the third range of the township of Acton and the east half of lot number thirty-two, in the fourth range of the township of Acton, now being lots numbers (268, 361, 362, 365 and 371) two hundred and sixty-eight, three hundred and sixty-one, three hundred and sixty-two, three hundred and sixty-five and three hundred and seventy-one of the official cadastre of the parish of St. André d'Acton ; on the west by lot number thirty-five of the third and fourth ranges of the township of Acton, now being lots numbers (269, 358 and 360) two hundred and sixty-nine, three hundred and fifty-eight and three hundred and sixty of the official cadastre of the parish of St. André d'Acton in the county of Bagot.

Municipal  
council.

**5.** The municipal council of the town of Acton Vale shall consist of a mayor and six aldermen who shall represent the corporation of the town of Acton Vale for all lawful purposes.

Date of first  
election.

The first election of mayor and aldermen of the town of Acton Vale shall take place on the first juridical day of June one thousand nine hundred and eight.

Id. amended  
for town.

**6.** Paragraph 9 of article 107 of the Cities and Towns' Act, 1903, is replaced for the town by the following :

Persons dis-  
qualified for  
council.  
Proviso.

" **9.** Whosoever has, directly or indirectly, by himself or his partner, any contract with the municipality.

However, a shareholder in any incorporated company which has any contract or agreement with the municipality or who receives a subsidy or a grant, shall not be disqualified from acting as a member of the council."

Id., art. 182,  
replaced.

**7.** Article 182 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

Poll for each  
subdivision.

" **182.** The returning-officer shall establish a poll for each voting subdivision."

Id., art. 183,  
replaced.

**8.** Article 183 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

Place of  
polls.

" **183.** The polls shall be established in the rooms of the town hall."

Id., art. 194,  
replaced for  
town.

**9.** Article 194 of the Cities and Towns' Act 1903 is replaced for the town, by the following :

Polling com-  
partments,  
&c.

" **194.** The polling shall be held in each polling division in the rooms of the town-hall, and one or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may, without interference or interruption, mark his ballot paper ; and a table or desk with a hard and smooth surface shall be provided, upon which the voter may mark his ballot paper ; and a suitable black lead pencil shall be provided and kept properly sharpened throughout the hours of polling for the use of the voters in marking their ballots."

Id., art. 195,  
replaced for  
town.

**10.** Article 195 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following :

Hours for  
polling, &c.

" **195.** The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until five of the clock in the afternoon of the same day, and each deputy returning-officer shall, during that time, in the polling station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station."

**11.** Article 250 of the Cities and Towns' Act, 1903, is *Id.*, art. 250, replaced, for the town, by the following : replaced for town.

" **250.** No person shall keep open any bar in a hotel or club, any hotel, tavern, shop or store, whether licensed or not, in which spirituous or fermented liquors are ordinarily sold, during the day of voting within the limits of the town, under a penalty of being guilty of an offence triable summarily and being liable to a fine of fifty dollars, and imprisonment not exceeding three months in default of payment." Bars, &c., closed during polling hours, &c. Penalties.

**12.** Article 251 of the Cities and Towns' Act, 1903, is *Id.*, art. 251, replaced, for the town, by the following : replaced for town.

" **251.** On the day of the polling no person shall, within the limits of the town, under penalty of being guilty of an offence triable summarily, and being liable to a fine of fifty dollars and an imprisonment not exceeding three months in default of payment, either sell for a price in money or in exchange for any article whatever, or lend or deliver, or gratuitously supply any quantity whatever of spirituous or fermented liquor ; the only exception to this provision, the burden of proof whereof is upon the accused, is established in favor of the sick, in which case the liquor can only be sold, lent, delivered or supplied upon the certificate of a priest or minister of some religious denomination, or of a physician ; and whoever shall give or deliver a false certificate in respect thereof shall be guilty of an offence summarily triable, and be liable to a fine of fifty dollars, and, in default of payment, to imprisonment not exceeding one month." Sale of liquor on polling day. Penalty. Proviso. Penalty for false certificate.

**13.** Article 252 of the Cities and Towns' Act, 1903, is *Id.*, art. 252, replaced, for the town, by the following : replaced for town.

" **252.** During the days mentioned in article 251, and under the same penalties, but subject to the same exceptions in case of sickness, it is forbidden to cause to be brought or transported, or to bring or transport, within the limits of the town, or from one place to another within the said limits, any quantity whatever of spirituous or fermented liquor." Penalty for bringing in liquor during polling. Proviso.

This provision shall not affect the sale, transport, delivery or purchase of spirituous or fermented liquor, made in good faith and in the ordinary course of affairs by a merchant or trader ; provided that the cases, casks, bottles or envelopes containing the said liquor be not opened, broken or unclosed during the days above mentioned."

**14.** Article 302 of the Cities and Towns' Act, 1903, is *Id.*, art. 302, replaced, for the town, by the following : replaced for town.

" **302.** The council shall meet at least once a month in Sessions of council.

general or ordinary session to despatch the business of the town and shall hold its sessions on the days and at the hours which it shall determine by by-law."

*Id.*, art. 475, **15.** Article 475 of the Cities and Towns' Act, 1903, shall not to apply to town. not apply to the town of Acton Vale.

*Id.*, art. 485, **16.** Article 485 of the Cities and Towns' Act, 1903, is replaced for town. replaced, for the town, by the following :

Certain tax, how payable. **" 485.** The tax imposed in virtue of article 479 is payable for every business establishment and for every kind of business or occupation, whether carried on in one or more places of business."

Former by-laws &c., to remain in force, &c. **17.** The by-laws, *procès-verbaux*, rolls, resolutions, and ordinances of the municipal council of the town of Acton, not inconsistent with this act and now in force, shall remain in force until repealed, set aside, or replaced by ordinances of the town of Acton Vale. The corporation of the town of Acton Vale shall succeed to all the rights and obligations of the corporation of the town of Acton.

Returning-officer for first election. **18.** The secretary treasurer, of the town of Acton Vale, shall be the returning-officer for the first election, but if he should become incapable or refuse to act, it shall be lawful for the Lieutenant-Governor, on a petition by any elector of the town, to appoint a returning-officer for such election.

Where first council meeting to be held. **19.** The first general session of the council shall be held in the council room in the town hall in the town of Acton Vale.

Present mayor &c., to remain in office, &c. **20.** The mayor, councillors and municipal officers of the town of Acton shall remain in office until replaced under this act and shall continue to perform their duties as if they had been elected or appointed under this act.

Coming into force. **21.** This act shall come into force on the day of its sanction.

## CHAP. 103

[Assented to 25th April, 1908]

An Act to incorporate the town of Emard

**W**HEREAS the corporation of the village of Boulevard Preamble.

St. Paul has, by its petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, under the provisions of the Cities and Towns' Act, 1903, and its amendments; that certain powers not conferred by the said act be granted to it; that certain provisions of that act shall apply to it and, further, that certain by-laws and contracts made and entered into by the council of the said corporation be confirmed and ratified to all intents and purposes;

And whereas it is expedient to grant the prayer to that effect contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. From and after the coming into force of this act, the Name of village of Boulevard St. Paul shall be called "The Town of town. Emard".

2. The municipality of the town of Emard shall be Boundaries. bounded as follows:

On the north by the Côte St. Paul road to the eastern line of No. 3603 of the cadastre of the parish of Montreal, by the new course of the St. Peter river; then following such eastern line of the said No. 3603 to the Lachine Canal; thence by the Lachine Canal to the western boundary of the municipality of the town of Emard, the foregoing being the southern boundary of the municipality of Notre Dame de Grâces West; on the west by the numbers 1008, 1009, 1010, 1011, 1013, 1014, 1015, 1017, 1018, 1019, 1021, 1022 of the cadastre of the parish of Montreal;

On the south west by No. 1002 of the cadastre of the parish of Lachine;

On the south-east by the canal of the Montreal water-works to the property of Sir A. T. Galt, or his representatives, exclusively;

On the north-east from the latter point and in a straight line towards the west to the property called St. Paul Annex and afterwards continuing towards the west separating the Galt property from St. Paul Annex, to the eastern line of No. 149 of the subdivision of No. 3929 of the cadastre of the parish

of Montreal, which number 3929—149 is known under the name of "The Lane" (*Petit Chemin*); then following that eastern line of the said lane to the south-eastern line of the public road, on the south side of the Lachine Canal and thence in a north easterly direction following the south side of the said public road to the south-western line of the bridge over the Lachine canal; such north eastern boundary being the south western boundary of the town of St. Paul; from the latter point and crossing the Lachine canal, following the said south-west line of the bridge to the north side of the road, on the north side of the said canal, then following the north side of the said road and in its direction towards the north-east to the Côte St. Paul road.

Finally by the Côte St. Paul road, being the boundary of the former town of St. Henry, (now St. Henry ward of the city of Montreal) and thence to the northern boundary of the municipality of the town of Emard as previously described.

Nothing in the description of the above boundaries shall be interpreted as altering or encroaching on the present limits of the city of Montreal, and shall not prejudice pending cases between the corporation of the Boulevard St. Paul and the said city of Montreal.

3 Ed. VII, c. 38, to apply, &c.      3. The provision of the Cities and Towns' Act, 1903, shall apply, *mutatis mutandis*, to the corporation and municipality of the town of Emard with the exception of those specially extended by this act or expressly inconsistent therewith.

Wards.      4. The municipality of the town of Emard shall be divided into three wards, respectively called : wards numbers 1, 2, and 3, the boundaries whereof shall be fixed by a by-law of the council.

Aldermen.      5. Each of such wards shall be represented by two aldermen.

Corporation substituted. Name, &c.      6. The inhabitants and ratepayers of the municipality shall constitute a corporation under the name of "the Corporation of the town of Emard," which shall not be deemed a new corporation, but which shall have, retain and continue to exercise all the rights, powers and privileges possessed and exercised by the corporation of the village of Boulevard St. Paul until the passing of this act, in the same manner as if the said corporation had continued to exist under its original name, and shall remain subject to the same obligations.

Procès-ver-      7. All *procès-verbaux*, assessment and collection rolls, titles,



accounts, claims, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions or municipal acts whatsoever now in force in the village of Boulevard St. Paul, shall continue to have their full effect until cancelled, amended, rescinded or carried out, or except in so far as as they may be expressly inconsistent with this act. baux, &c., remain in force.

Nothing in this act shall affect the rights of persons or companies having contracts with the said village or having acquired franchises therein. Certain contracts not affected.

**8.** All bonds, notes, obligations, debentures, agreements and securities whatsoever, subscribed, issued, made and contracted by the council of the said village, shall continue to have their legal effect. Certain bonds, &c., not affected.

**9.** The present officers of the council of the village of Boulevard St. Paul, shall be and remain the officers of the town of Emard, until replaced by the council. Present municipal officers to remain in office, &c.

**10.** The mayor and councillors of the former municipality of the village of Boulevard St. Paul, in office when this act comes into force, shall remain in office as mayor and aldermen of the municipality until the election of their successors, as provided by section 11 of this act. Mayor and councillors to continue in office.

The first session of the council shall be held at eight o'clock P.M., at the place where the council usually sits in the municipality of the village of Boulevard St. Paul, on the first Monday following the coming into force of this act. First session of council.

**11.** The council shall consist of a mayor and six aldermen elected according to law. The first general election shall take place on the first juridical day of February, 1909, under the provisions of the Cities and Towns' Act, 1903. Council. First general election.

**12.** In the event of a vacancy in the office of mayor or alderman before the first general election, such vacancy shall be filled in the manner prescribed by the Municipal Code. Filling certain vacancies.

**13.** In the case of imposition of special taxes for any improvement, the council if it deem expedient, may, by-law or resolution, provide for the making, out of the general funds of the municipality, of the portion of the said improvement situate on or in the part of any street, lane, alley, square or public place intersected by any other street, lane, alley, square or public place or which might otherwise fall upon a property exempt from taxation. Certain improvements at expense of municipality.

**14.** Paragraph 8 of article 107 of the Cities and Towns' 3 Ed. VII, c. 38, s. 107,

amended for town.

Non-residents.

Act, 1903, is replaced, for the town, by the following, in so far only as it relates to the first general election:

"8. Whosoever has no residence or business office in the municipality for at least twelve months previous to the election or nomination."

Id., s. 384, amended.

**15.** Article 384 of the Cities and Towns' Act, 1903, is amended, for the town, by adding the following paragraphs after paragraph 18.

To prevent breeding, &c., of swine.

"18a. To prevent the breeding, keeping or fattening of swine in the town or in any part thereof, or impose by-laws, licenses or restrictions on the subject, as the council may think proper."

To determine what live stock may be kept in town, &c.

"18b. To determine the number of live stock that may be kept together at any place in the municipality, or determine the distance between horse and cow stables or other similar structures, from dwelling houses and other buildings."

Proviso.

These two paragraphs shall not apply to farmers."

Id., s. 384, par. 21, replaced for town.  
Regulation of sewerage, &c.

**16.** Paragraph 21 of article 384 of the Cities and Towns' Act, 1903, is replaced for the town, by the following :

"21. To regulate the sewerage of the municipality ; to construct any public sewer in any street of the town and even, if the council deems advisable, any connection between such public sewer and the private drains of owners of immoveables situate on such street ; to assess proprietors of immoveable property for the purpose of defraying wholly or partly the cost of making any common sewer in any street, in which such proprietors own property, including the cost of such connections and the cost of such repairs to the sewer and of such as are rendered necessary in the paving on account of the construction of private drains ; to allot the assessment between itself and the adjacent proprietors ; to apportion the assessment imposed on such proprietors either according to the frontage of the property or otherwise, and to prescribe the mode in which such assessment shall be levied.

Id., s. 424, amended for town.

**17.** Article 424 of the Cities and Towns' Act, 1903, is amended, for the town, by adding the following paragraphs thereto :

Business license from certain non-residents.

"24. To prevent any person residing outside the limits of the municipality from coming himself or sending his employees to solicit or take orders for the delivery of merchandize or to offer such merchandize for sale without previously obtaining from the corporation the license required for such kind of business."

Special license in certain cases.

"25. To impose and levy by resolution or by-law, by means of a special license, a sum not exceeding one hundred

dollars upon every person coming temporarily into the municipality to sell or cause to be sold by auction or by private sale, goods coming wholly or partly from a bankrupt stock."

**18.** Article 470 of the said act is replaced, for the town, Id., s. 470, replaced for town.  
by the following :

" **470.** Taxes bear interest at the rate of five per cent per annum, from the expiration of the delay during which they ought to be paid, without its being for such purpose necessary that a special demand of payment be made. Interest on taxes.

Neither the municipal council nor its officers can remit any taxes or the interest thereon, subject to the provisions of article 518. Council, &c., cannot remit same.

The council may, by by-law, provide for a discount to such persons as shall pay the taxes due by them on or before a date to be fixed by such by-law." Proviso. Discount in certain cases.

**19.** The first paragraph of article 475 of the Cities and Towns' Act, 1903, is replaced for the town by the following : Id., s. 475, amended for town.

" **475.** All lands under cultivation or farmed or used as pasture for cattle as well as all uncleared land, or wood lots, within the limits of the municipality, shall be taxed for an amount not exceeding three quarters of one per cent, for all general as well as special taxes which may be levied on such lands ; and the valuation of these lands shall be that given in the valuation roll preceding that now in force." Taxation of certain lands, &c.

**20.** Article 477 of the said act is replaced, for the town, Id., s. 477, replaced for town.  
by the following :

" **477.** The council may impose and levy an annual tax, to be fixed by by-law, on every horse aged three years and over, on every head of horned cattle over two years of age, on every dog and on every vehicle kept in the municipality, including bicycles." Tax on horses, &c.

This article does not apply to farmers.

Proviso.

**21.** The following article is inserted in the said act for the town after article 479. Id., s. inserted after s. 479, for town.

" **479a.** The amount of such annual dues or taxes shall be fixed and determined by one or more by-laws of the municipality, and shall be fixed and determined by the council at its discretion. The amount so fixed may be different for each kind of business, occupation or trade." Amount of certain taxes, how fixed, &c.

**22.** The following article is inserted in the said act, for the town, after article 485 : Id., s. inserted after s. 485, for town.

" **485a.** Every person who, during the fiscal year, does Payment of

business tax, or carries on any business or occupation which makes him  
&c. liable to the business tax, is bound to pay the same in full,  
unless the council grants a partial remission of the same on  
account of the short time remaining to the expiration of the  
fiscal year."

Id., s. 523, **23.** Article 523 of the said act is replaced, for the town,  
replaced for by the following :

Interest cou- " **523.** Coupons to the amount of the half-yearly interest,  
pons. signed by the mayor and countersigned by the clerk, and  
payable to bearer at the period when the interest specified therein  
falls due, may be annexed to each bond, obligation or de-  
benture,

Delivery thereof on **At the time of payment, the coupons are handed to the**  
payment of treasurer ; and the possession, by such officer, of any coupon  
interest, &c. **is *prima facie* evidence that the half-yearly interest specified**  
therein has been paid.

Signatures on coupons. **The signatures on such coupons may be lithographed,**  
stamped, printed or engraved."

Certain agreements **24.** The council is authorized to make all covenants with  
re widening owners of lots on the west side of Côte St. Paul road from  
of certain Notre Dame Street, in the city of Montreal, to the bridge  
road. au- over the Lachine canal, in the town of Emard, that may be ne-  
thorized, &c. cessary for widening the said road; to do all the work the coun-  
cil may deem necessary for the purposes of such widening ; to  
drain, pave or macadamize wholly or partly the portion of  
the said road so widened and keep it in good order ; to make  
all necessary arrangements with the city of Montreal, or any  
other corporation for the purpose of apportioning as the  
council may deem advisable the cost of the work above  
mentioned between the town and the city of Montreal, the  
town of St. Paul, the town of Notre Dame de Grâce or any  
other corporation if necessary, and the same powers are given  
the town of St. Paul or any other corporation for the purpose  
of making any arrangement necessary for such purposes with  
the town of Emard.

Borrowing money there- **The council is authorized to borrow, by means of debentu-**  
for, &c. res, the money required for the aforesaid works and improve-  
ments according to a by-law adopted according to law.

Certain ar- **25.** The council may make any arrangement that may be  
rangements re sewers, deemed necessary with the town of St. Paul or any other cor-  
authorized. poration with regard to sewers, either to connect its sewerage  
system with that of the town of St. Paul or that of any other  
corporation and the use of the latter's collecting sewers for that  
or any other purpose, and to indemnify accordingly the town  
of St. Paul or other corporation to such amount as may be

deemed reasonable and be agreed upon between the parties ; the same powers are conferred upon the town of St. Paul or other corporation for making the said arrangement with the town of Emard.

**26.** The act 6, Edward VII, chapter 55, is repealed.

6 Ed. VII, c.  
55, repealed.

**27.** The council may adopt, amend or repeal by-laws to grant to any person or company for a number of years not exceeding thirty, the exclusive privilege of working any tramway by means of steam or electricity upon the conditions and in the manner it may consider right. Exclusive privileges.

Every by-law passed under this act shall, before coming into force and having effect, be approved of by the majority in number and real value of the municipality who shall vote thereon, and by the Lieutenant-Governor in Council. Approval by electors, &c.

**28.** The following is approved and declared valid, to wit: Certain by-law ratified.

By-law No. 19, annexed to this act as schedule A., being a consolidation of by-laws 13 and 15 of the council of the village of Boulevard St. Paul and granting to Laurent Justinien Marchand, his representatives and assigns, the right and privilege of supplying electric light within the limits of the village of Boulevard St. Paul, as well as electric power and all the other accessories required for pumping the water of the water-works of the said village on the conditions therein set forth, passed by the council of the corporation of the village of Boulevard St. Paul on the 11th February 1908.

After the coming into force of the by-law annexed to this act as schedule A, the town shall enter into a contract with the said Laurent Justinien Marchand in accordance with the provisions of the said by-law modified however by the insertion in clause 14 of the said by-law after the words : " The prices mentioned," of the following words : " except those fixed by clauses 12 and 13 of the said by-law." Certain contract to be entered into.

**29.** Nothing contained in this act shall be interpreted as affecting or repealing any power specially given by statute to any corporation or company. Certain rights not affected.

**30.** This act shall come into force on the day of its sanction. Coming into force.

## SCHEDULE A

Province of Quebec, } CORPORATION OF THE VILLAGE OF  
District of Montreal. } BOULEVARD ST. PAUL.

At a general session of the council of the village of Boulevard St. Paul, held at the place where the sittings of the said council are usually held on Tuesday, the eleventh day of February, nineteen hundred and eight, at eight o'clock p. m., according to law and pursuant to adjournment ; at which session were present : His Worship the Mayor, Joseph Ulric Emard and councillors Charles Mignot, Joseph Deslauriers, Joseph Charland, Léon Dubois, Moïse Jodoin and Jean-Baptiste Prévost, forming a quorum under the presidency of the said Joseph Ulric Emard.

It is ordered and enacted as follows by the by-law number nineteen of the by-laws of the said council :

1. The present by-law is a consolidation of the by-laws numbers thirteen (13) and fifteen (15) of the council of the village of Boulevard St. Paul, by which the said council repeals certain clauses of the said by-laws, and adds certain amendments thereto ;

2. The village of Boulevard St. Paul gives and grants hereby to Laurent Justinien Marchand, trader and manufacturer, of the said village, his successors and assigns, the exclusive right and privilege of supplying electricity for lighting within the limits of the said village of Boulevard St. Paul for a period of thirty years, counting from the sixteenth of January, nineteen hundred and seven ;

3. Every firm, company, corporation or person, other than the said Laurent Justinien Marchand, his successors and assigns, are hereby forbidden for a period of thirty years, counting from the sixteenth of January nineteen hundred and seven, to put up in the streets, lanes or public places of the said village of Boulevard St. Paul any conduit for electricity or any poles or electric wires, and also to operate, except for his or its own personal use, within the limits of the said village, any dynamo or electric generator or any system producing electricity ;

4. The said village of the Boulevard St. Paul hereby disseizes itself in favor of the said Laurent Justinien Marchand and his successors or assigns, of its rights and powers to light the said village of the Boulevard St. Paul with electric light during the whole period stipulated and until the expiration of thirty years, counting from the sixteenth of January nineteen hundred and seven, during which time the said Laurent Justinien Marchand, his successors or assigns, shall continue to enjoy the privilege aforesaid ;

5. The said Laurent Justinien Marchand, his successors or assigns shall continue to avail himself or themselves as the said Laurent Justinien Marchand has done since the first of September nineteen hundred and seven, under the said by-laws numbers thirteen and fifteen, of the advantages to him or them given by the present by-law and to light the village of the Boulevard St. Paul with electric light, supply and erect at his or their cost all poles, electric wires and conduits that may be necessary for lighting the said village of the Boulevard St. Paul with electric light ;

6. The said Laurent Justinien Marchand, his successors or assigns, shall also procure and furnish at his or their expense, all other plant, generators and dynamos for producing the necessary electricity for operating the electric lamps either in the streets, lanes or public places or in houses, stores, shops or public buildings, and the village of the Boulevard St. Paul shall not be bound to perform any labor nor to incur any cost of maintenance and shall not be obliged to put up any lamps, poles, wires, dynamos or other apparatus, the whole to be at the charge of the said Laurent Justinien Marchand, his successors or assigns ;

7. At any time from the date wherein the said Laurent Justinien Marchand shall have begun in virtue of these presents to light the village of the Boulevard St. Paul with electric light, the latter shall have the right to compel the said Laurent Justinien Marchand, his successors or assigns to put up and maintain at his or their expense, as aforesaid, such number of electric lamps as the council of the said village may deem advisable or useful, provided there shall never be less than forty, and he or they shall place them at his or their expense at the places which the council shall designate by resolution. Each of the arc lamps shall have a nominal power of twelve hundred candles ;

8. Should the council deem it advisable between now and the first of September nineteen hundred and eight to remove certain arc lamps, the said Laurent Justinien Marchand, his successors or assigns shall remove the same at his or their expense. All changes after such date shall be at the expense of the corporation ;

9. The said Laurent Justinien Marchand, his successors or assigns shall supply gratuitously to the village of the Boulevard St. Paul, the electric current required for thawing the hydrants and water-pipes of the corporation in all the streets of the municipality, upon written application by the chief of the department ; provided such work be done under the direction of an employee, paid by the said village, of the said Laurent Justinien Marchand, his successors or assigns ;

10. In consideration of the light so supplied by the said

Laurent Justinien Marchand, his successors or assigns, the village of Boulevard St. Paul shall pay him or them every three months for the time he or they shall have so supplied it from the coming into force of this by-law, until the expiration of the period above mentioned, the sum of seventy-five dollars per annum for each arc lamp put up and giving light from twilight till dawn, of a nominal power of twelve hundred candles. The first payment shall become due three months after the said Laurent Justinien Marchand, his successors or assigns, shall have begun to light by electricity the streets, lanes and public places of the said village under the present by-law ;

11. When the number of arc lamps supplied to the said village as aforesaid shall have reached the number of seventy-five, the price for each lamp shall only be seventy-two dollars and fifty cents per annum ; and when the number of such lamps shall have reached one hundred, the price of each lamp shall be only seventy dollars per annum ;

12. The said Laurent Justinien Marchand, his successors or assigns shall, during the whole time that he or they shall supply the village of the Boulevard St. Paul with electric light, also supply the citizens requiring the same, at the following prices :

For five (5) lamps and less, for one and the same person, fifty cents (50) per month, for each lamp of sixteen candle-power.

When the same person, company or corporation requires more than five (5) lamps, the said Laurent Justinien Marchand may be compelled to supply a meter at a rental of twenty-five cents per month and in such case the light shall be supplied at one-half cent per ampere hour for each lamp of sixteen candle-power.;

13. If the council of the said village wishes to have incandescent lamps in the streets, lanes or public places, the said Laurent Justinien Marchand, his successors or assigns, shall be bound to supply the same at the rate of ten dollars (\$10.00) per lamp of sixteen candle-power and twenty dollars (\$20.00) per lamp of thirty-two candle-power per annum. Nevertheless, the said council shall not exact such incandescent lamps unless there are already forty arc lamps in the said village, paid for by the latter ;

14. The prices above mentioned shall be revised every five years and modified proportionately if necessary, adopting as a basis the prices charged on the sixteenth of January nineteen hundred and seven to the city of Montreal by The Montreal Light, Heat and Power Company and those which shall prevail in the said city at the same date every five years, provided always that, whatever may be the price paid by the city of Montreal at the date of each five years' revision, the price paid



to the said Laurent Justinien Marchand, his successors or assigns, shall never at any time exceed those above mentioned;

15. The putting in of the electric lamps in houses, stores or public buildings, as well as the renewal of the lamps which may be broken, shall be at the cost of the consumers ;

16. With the view of testing the current and the voltage supplied for lamps, and examining the apparatus and accessories, the council of the said village shall permit any competent person or persons authorized to that effect by the said council, to have access at any time to all lamps, poles, conduits, apparatus or machines on the streets or at any station belonging to the said Laurent Justinien Marchand or his successors and assigns, and the said person or persons shall have the privilege, at all times while the said lamps are lighted, to test the said circuits of such places as he may select, by such standard instruments as he may deem advisable to use, and to maintain such instruments in circuit as long as he may deem advisable; and every electric lamp which shall not fulfill the conditions prescribed herein shall not be considered as giving light ;

17. The said Laurent Justinien Marchand, his successors or assigns, shall give light to each of the lamps so put up within the limits of the said village every night from twilight till dawn. If any lamp or lamps should be extinguished or not be lighted during a period of the night exceeding sixty consecutive minutes, the council shall deduct from the accounts of the said Laurent Justinien Marchand, his successors or assigns, one-half of the amount the latter would have been entitled to receive for such lamp or lamps had they given light throughout the night. For each lamp so extinguished or not lighted during one hundred and twenty consecutive minutes, the council shall deduct the full amount that the said Laurent Justinien Marchand, his successors or assigns, would have been entitled to receive for such lamp or lamps had they been lighted throughout the night ;

18. The said Laurent Justinien Marchand, his successors or assigns further covenant that they shall hold the village of the Boulevard St. Paul, its officers, agents or employees and each of them harmless and shall defend them against all suits or actions of any kind taken against any of them as well as from all damages and costs to which any of them might be exposed, in consequence of bodily injury to the person or damage to the property of any one whomsoever arising through neglect or from carelessness in the working of the said light, the execution of the present by-law or the defectiveness or insufficiency or the default of the plant, machinery, apparatus or instruments employed for that purpose or any act of omission or neglect of the said Laurent Justinien Marchand his successors or assigns;

19. If, in case of fire, it should be deemed necessary by the employees of the fire department to cut or remove the lines or the wires which might impede their work at such fire, they shall have the right to cut or remove such wires without the village of the Boulevard St. Paul being responsible for any expenses or damages in so doing; and it shall be the duty of the said Laurent Justinien Marchand, his successors or assigns, to at once render such line or wire harmless, and to immediately restore them after the cause for which they had been removed has ceased to exist, the whole without expense to the village of Boulevard St. Paul, provided that no reduction be made for the lamps which were extinguished in consequence of such occurrence.

20. In the event of the said Laurent Justinien Marchand, his successors or assigns, neglecting to fulfill the obligations imposed on them by the present by-law and ceasing to properly light the said village, the latter after putting him or them in default for three months, may end the privilege hereby granted the said Laurent Justinien Marchand, his successors or assigns. On application, the said Laurent Justinien Marchand, his successors or assigns, shall be bound to supply electric current to consumers at any hour of the day.

The manner in which an end shall be put to the present by-law shall be the passing of another by-law to repeal the present one.

In such case the village of the Boulevard St. Paul shall pay to the said Laurent Justinien Marchand, his successors or assigns, the value of all the work done by him or by them within the limits of the said village for the purposes of the present by-law; and such value shall be established by arbitrators appointed according to law. The present clause shall not apply to cases of irresistible force.

21. The moveable and immoveable property belonging to the said Laurent Justinien Marchand, his successors or assigns, and used by him or by them for the purpose of the present by-law in the village of the Boulevard St. Paul, shall be exempt from all municipal taxes during the period of thirty years above mentioned, with the exception of the water rate and assessment for sewerage ;

22. The said Laurent Justinien Marchand, shall have power to grant to any person, firm, company or corporation he may choose, all the rights and privileges upon him conferred by the present by-law ; provided the assignee thereof shall bind himself to fulfil and shall fulfil the conditions thereof ;

23. During the above mentioned period of thirty years, the said Laurent Justinien Marchand, his successors or assigns, shall furnish at his or their expense the electric power, labor and all other accessories required for the pumping of water of the

water-works of the said village and the said village shall pay, under that head, every three months to the said Laurent Justinien Marchand, his successors or assigns, a sum equal to two thousand dollars per annum, to wit : five hundred dollars per three months.

The electric power mentioned above shall never exceed fifty horse-power, and if higher power is required, the said Laurent Justinien Marchand, his successors or assigns, shall furnish the same at the price of thirty dollars (\$30.00) per annum for each additional horse-power.

And whereas the pump actually installed and the motor are of the development and capacity of fifty-seven horse-power ; it is understood that the present pump and motor shall be considered by the said Laurent Justinien Marchand, his successors or assigns, as being a pump and motor of fifty horse-power in so far as the work of pumping shall not last more than twenty-one out of the twenty-four hours. All time beyond the twenty-one hours shall be paid for in the proportion of two and one-third horse-power per hour.

The water mentioned in the present clause is all the water that may be consumed in the municipality ;

24. The pumping above mentioned shall begin at the same date as the supply of the electric light ;

25. The repairs of any plant used or to be used by the said Laurent Justinien Marchand, his successors or assigns for pumping the water of the water-works, shall be at the expense of the latter, except such caused by the usual wear and tear of the portion of the plant belonging to the corporation, such as the pump for instance ;

26. All sums of money due under the present by-law to the said Laurent Justinien Marchand, his successors or assigns, shall bear interest at the rate of five per cent per annum from the date of its maturity ;

27. All that has been or shall be done by the said Laurent Justinien Marchand and the council of the said village in the execution of by-laws numbers thirteen and fifteen above mentioned, from the time of their coming into force until their repeal, is, by the present by-law declared valid to all intents and purposes ;

28. The by-laws numbers thirteen and fifteen above mentioned shall be repealed by the present by-law only if the latter comes into force, and counting from such coming into force.

29. A notarial contract, in accordance with the clauses and conditions of the present by-law, shall be entered into by the said village of Boulevard St. Paul, and the mayor and the secretary-treasurer are hereby authorized to sign the said contract after the latter has been submitted to the council ;

30. The present by-law shall be published in the manner required by law, but it shall only come into force fifteen days after its approval by the Legislature of the Province of Quebec.

(Signed) JOSEPH ULRIC EMARD, *Mayor*.

" L. E. HÉTU, *Secretary-treasurer*.

True copy.

L. E. HÉTU,  
*Secretary-treasurer*.

## CHAP. 104

[Assented to 14th April, 1908]

### An Act to amend the charter of the village of Rosemont

#### Preamble.

**W**HEREAS the municipality of the village of Rosemont has, by its petition, represented that it is in the interest of the proper administration of its affairs that its charter the act 5 Edward VII, chapter 49, be amended, and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

3 Ed. VII, c.  
38, s. 29, re-  
placed for  
village.  
Division by  
council into  
wards.

**1.** Section 29 of the Cities and Towns' Act, 1903, is replaced for the village as follows :

" **29.** The municipal council of the said village of Rosemont may, by by-law, divide the municipality into such number of wards as it may deem expedient, and shall thereafter have all the powers set forth in articles 30 and 31 of the Cities and Towns' Act, 1903, as if said wards had been originally fixed in the charter of the municipality.

Number of  
councillors  
per ward.

In the event of the municipal council dividing the municipality into wards, it shall have the power, by the same or a subsequent by-law, to fix the number of councillors or aldermen so as to provide an equal number for each ward."

5 Ed. VII, c.  
49, s. 12, re-  
placed.  
Parts of 3 Ed.  
VII, c. 38,  
may be  
adopted by  
by-law.

**2.** Section 12 of the act 5 Edward VII, chapter 49, is replaced by the following :

" **12.** Nevertheless, it shall be lawful for the municipal council of the said village to adopt, at any time after the coming into force of this act, one or more by-laws enacting the application to the corporation of the village of Rosemont of

articles 45 to 66, inclusively, and 106 to 301 both inclusively of the Cities and Towns' Act, 1903, respecting the council, the appointment of municipal officers, the lists of electors and elections. Until the adoption of such by-law or by-laws, the corporation of the village of Rosemont shall be governed by the provisions of the Municipal Code in that respect. M. C. to apply till then.

In the event of the council dividing the municipality into wards, the said council, notwithstanding anything in the Municipal Code, may then or thereafter, by the same or one or more subsequent by-laws, provide for a single poll at the town hall for all the wards at each election, or for any other legally authorized voting purposes ; or may provide for separate polls for each ward as it may deem best. Polls at elections.

**3.** Section 11 of the said act is replaced by the following : 5 Ed. VII, c. 49, s. 11, replaced.

" **11.** Articles 93 to 99 both inclusive, 101 to 125, both inclusive, 201 to 213 both inclusive, 276 to 282, both inclusive, 284, 285 and 291 to 364 also both inclusive, of the Municipal Code, respecting the municipal council, the persons liable to or exempt from municipal offices and elections, shall apply to the municipality of the village of Rosemont. Certain articles of M. C. to apply.

No one can be appointed a member of the council or act as such, if he does not reside or has not his place of business within the limits thereof, and if he does not possess therein, in his own name or in the name and for the benefit of his wife, real estate of the value of at least six hundred dollars. Qualifications of councillor.

Upon demand in writing made before the council by one of its members, or by a rate-payer, to a councillor present, such councillor shall, within eight days thereafter, give in writing and under oath, a declaration of qualification containing the description of the real estate upon which he bases his qualification, and deposit it in the office of the council. Demand to furnish proof of qualifications.

**4.** Paragraph 3 of article 386 of the act 3 Edward VII, chapter 38, is replaced, for the village, by articles 544 and 546 the Municipal Code. 3 Ed. VII, c. 38, s. 386, par. 3, replaced for village.

**5.** This act shall come into force on the day of its sanction Coming into force.

## CHAP. 105

## An Act to divide the municipality of Saint Octave de Métis

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS, Donat Caron, Octave Roy, Joseph Lebel, Octave Bérubé, Joseph Bérubé, Louis Fortin, Romain Lebel, Polydore Lebel, George Lebel, all farmers of St. Octave de Métis, and rate-payers of the said parish, have by their petition represented that it is in the public interest that the portion of the said municipality which they inhabit, should be organized as a separate municipality ;

Whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Division of  
parish of St.  
Octave de  
Métis, &c.

**1.** After the date of the sanction of this act, the municipality of the parish of St. Octave de Métis shall, for municipal purposes, be divided into two municipalities, one to be known under the name of "the municipality of St. Octave de Métis-South," and the other under the name of "the parish of St. Octave de Métis."

Boundaries  
of new parish  
of St. Octave  
de Métis.

**2.** The municipality of the parish of St. Octave de Métis shall comprise all the present territory of the municipality of St. Octave de Métis, less the detached part hereinafter described, which shall constitute the municipality of St. Octave de Métis-South.

Boundaries  
of municipal-  
ity of St. Oc-  
tave de Mé-  
tis-South.

**3.** The municipality of St. Octave de Métis-South, in the county of Matane, shall be bounded as follows :

**1.** On the north :

*a.* Starting from the division line between the seigniory of Lepage-Thibierge on the one part and the township of Cabot, on the other part, to the point of intersection of such line with that between ranges A and B of the township of Cabot, and in an easterly direction by the line dividing the ranges A and B of Cabot, throughout its whole length to its point of intersection with the line dividing Cabot from the seigniory of Perras more commonly known as the seigniory of Métis.

*b.* From the latter point of intersection in a north-westerly direction by the line dividing Cabot from the seigniory of Métis to its point of intersection with the outer northern line of the land of the Intercolonial Railway.

*c.* From the latter point of intersection in a north-easterly

direction by the outer northern line of the land of the Inter-colonial Railway to its point of intersection with the dividing line of the third and fourth ranges of the seigniority of Metis, between the lots Nos. 233 and 442.

d. From the latter point of intersection in a north-easterly direction by the dividing line of the second and third ranges of the seigniority of Metis, to the point of intersection with the dividing line of the farms of Messrs. Duncan Craig and Zéphirin Beaulieu, respectively designated under numbers 254 and 255 of the official plan of the cadastre in the second range of the seigniority of Metis.

e. From the latter point of intersection in a north-westerly direction by the dividing line of the farms of Messrs. Duncan Craig and Zéphirin Beaulieu, to the intersection of the dividing line of the first and second ranges of the seigniority of Metis.

f. From the latter point of intersection in a north-easterly direction by the dividing line of the first and second ranges of the seigniority of Metis, as far as No. 289 (two hundred and eighty nine) inclusively, of the said official plan to the point where such dividing line of the first and second ranges aforesaid, deviates ninety degrees towards the south-east.

g. From the latter point of deviation in a south-easterly direction by the dividing line of the first and second ranges dividing lots Nos. 28, 25, 24, 18, 17, 12 and 1 in the first range of the said seigniority, (in the village of Little Metis) from the Nos. 289 and 288 of the second range of the said seigniority, in the municipality of St. Octave de Metis-South, to the point where the latter line deviates to the east between lots Nos. 288 and 292 in the second range and lot No. 1 in the first range of the said seigniority.

h. From the latter point of deviation in an easterly direction by the line dividing lots Nos. 1 and 2 from lots Nos. 292, 293, 296, 297, 298, 301, 302 and 303a, to the point of intersection of such line with the line dividing lots Nos. 303a and 303 from lot No. 304.

i. From the latter point of intersection in a south-easterly direction by the line dividing lots Nos. 303a and 303 from lot No. 304 to the point of intersection with the dividing line of the second and third ranges of the seigniority of Metis.

j. From the latter point of intersection in a north-easterly direction by the line dividing the second and third ranges to the point of intersection with the line dividing lots Nos. 377 and 376 from lot No. 375.

k. From the latter point of intersection in a south-easterly direction by the rear line between lots Nos. 396 and 395 to the intersection of the line between the third and fourth ranges of the seigniority of Metis.

1. From the latter point of intersection in a north-easterly direction by the line dividing the third and fourth ranges aforesaid, to the intersection of the line between the seigniori of Metis and the township of Macnider.

2. On the north-east by the line dividing the seigniori of Metis with the township of Macnider from the last point of intersection in a south-easterly direction to the intersection of the rear line of the seigniori of Metis between the sixth range of the said seigniori and the township of Cabot.

3. On the south-east by the said rear line of the seigniori of Metis from the last point of intersection in a south-westerly direction to the intersection of the south-western outer line of the said seigniori, between such seigniori and the township of Cabot.

a. From the latter point of intersection in a north-westerly direction to the intersection of the line dividing ranges two and C of the township of Cabot, between lots Nos. 1 of the second range and nineteen of range C.

b. From the latter point of intersection in a south-westerly direction by the line dividing lots Nos. 1 of the second and first ranges from lots Nos. 19A and 19 respectively of ranges C and D of the township of Cabot to the point of intersection of the south-western outer line of such township between the said township and the seigniori of Lepage-Thibierge ;

4. On the south-west from the latter point of intersection in a north-westerly direction by the line between the township of Cabot and the seigniori of Lepage-Thibierge to the point of intersection of the line dividing ranges A and B of the township of Cabot, the starting point of the boundary and limits of the municipality of St. Octave de Metis-South as above described.

All the numbers of lots mentioned in this delimitation are those of the official plan of the cadastre of the parts constituting the parish of St. Octave de Metis, whereof the municipality of St. Octave de Metis-South forms part and the total area whereof is twenty seven thousand arpents.

Municipal  
Code to ap-  
ply.  
Date of first  
municipal  
elections.

4. All the provisions of the Municipal Code shall apply to the said municipality but on the first juridical Monday, in June, 1908, the election for councillors for such municipalities shall take place in each of the said municipalities, and the subsequent elections shall take place at the date and in the manner prescribed by the Municipal Code.

Presiding-  
officer at  
municipal  
elections, &c.

5. Such elections shall be presided over by persons chosen by the majority of the electors present. The person presiding at such meeting shall be subject to articles 299, 300, 301, 302,



303, 304 and 306 of the Municipal Code, and if the said election does not take place as above provided, the councillors shall be appointed by the Lieutenant-Governor in Council.

6. The election of the mayor of each of the said municipalities shall take place in accordance with articles 330 and following of the Municipal Code. Mayor how elected.

7. The valuation rolls, electoral lists, *procès-verbeaux*, Valuation assessment rolls, by-laws and other documents hitherto governing the territories above mentioned, shall continue to apply to each of the said municipalities until modified, repealed or replaced by the respective councils of such municipalities; they shall hereafter form part of the archives of the municipality of St. Octave de Metis and copies certified by the secretary-treasurer of the said municipality shall be authentic to all intents and purposes. Valuation rolls, &c., to continue in force, &c.

8. The assets and liabilities of the old municipality shall be divided between the two new municipalities proportionately to their respective value, as set forth in the valuation roll in force at the time of the division. Division of assets and liabilities.

9. The bridge known as "Grand Metis Bridge" shall remain at the charge of the rate-payers of the territory forming the municipalities at whose charge it is at present. "Grand Metis Bridge."

10. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 106

[Assented to 14th April, 1908]

### An Act to amend the charter of the Quebec Central Railway Company

**W**HEREAS, the Quebec Central Railway Company, has by its petition represented that it is desirous to change the date of its fiscal year, and further that it should be empowered to build, acquire, maintain, operate and dispose of hotels; and Preamble.

Whereas it has further represented that it is desirable that the voting power of its existing debenture and share capital be re-arranged;

And whereas the company has prayed for an amendment to its existing charter granting legislative authority to enable

such changes to be effected and it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Directors  
may change  
date of fiscal  
year.

1. The directors of the Quebec Central Railway Company may, at their discretion, change the date of the company's fiscal year so that it shall begin on the first day of July and end on the thirtieth day of June following; provided always that in such case the provisions of section 3 of the act 49-50 Victoria, chapter 82, with reference to the ascertainment and distribution of net revenue towards interest on income bonds or debenture stock, shall apply to the half year ending 30th June preceding the commencement of any such new fiscal year, and such section shall be read in all respects as if the period of a half year were substituted for a year.

Proviso.

Company  
may build,  
&c., hotels,  
&c.

2. The company may build, acquire, lease, maintain, operate and dispose of hotels, and generally carry on hotel business in connection with their other operations.

49-50 V., c.  
82, s. 6, re-  
placed.

3. Section 6 of the act 49-50 Victoria, chapter 82, is replaced by the following :

By whom  
affairs of  
company to  
be adminis-  
tered.  
Voting qual-  
ification.

" 6. From and after the coming into force of this act, the control of the affairs of the company, and the election of its directors shall be vested in the shareholders and holders of the securities hereinafter mentioned. The proportion of votes to the shares held in the company, shall be one vote for every twenty-five pounds sterling of stock so held, and no sum less than twenty-five pounds sterling shall entitle the holder thereof to any vote at any meeting of the shareholders of the company ; and at all meetings of the company the holders of the following securities issued by the company, that is to say : every proprietor of debenture stock or of income bonds issued under the provisions of the act 1 Edward VII, chapter 60, section 1, and every proprietor of debenture stock issued or to be issued under the provisions of the acts 62 Victoria, chapter 74, and 6 Edward VII, chapter 58, shall have the same right of voting as that conferred upon holders of shares in the company to wit :—one vote for each twenty-five pounds sterling of the aforesaid stock or bonds, and all rules as to the requisite proportion of the vote of shareholders or proprietors at any such meeting shall be interpreted as applying to the total number of votes given thereat by proprietors of such shares, debenture stock and income bonds".

Id., s. 8a, re-  
placed.

4. Section 8a of the act 49-50 Victoria, chapter 82, as

amended by the act 62 Victoria, chapter 74, section 9 and replaced by the act 63 Victoria, chapter 66, section 3, is replaced by the following;

**“ 8a.** “ The elected directors of the company shall here-  
after be not less than five nor more than seven, as the com-  
pany may determine at any annual meeting, and any holder  
of shares or of income bonds or of debenture stock of either  
class amounting to five hundred pounds at par value, or the  
holder of any such shares and securities or of such securities  
which together amount to five hundred pounds at par value,  
shall be qualified for election as one of the directors of the  
company.”

**5.** Sections 7 and 11 of the act 49-50 Victoria, chapter 11, repealed.  
Id., ss. 7, and 82 are repealed.

**6.** The powers conferred in sections 3, 4 and 5 of this act  
shall not be exercised until a consent thereto be given by a  
majority of the total number of votes of shareholders and  
debenture stockholders of either class and income bondholders  
referred to in section 4, present or represented at a meeting  
specially called for that purpose.

**7.** Sections 1, 2 and 6 of this act shall come into force  
on the day it is sanctioned.

Sections 3, 4 and 5 shall come into force only upon the  
proclamation of the Lieutenant-Governor in Council, which  
shall be issued so soon as the provisions of section 6 have been  
complied with.

## CHAP. 107

An Act to incorporate the Ha ! Ha ! Bay Railway Company

[Assented to 25th April, 1908]

**WHEREAS**, Messrs Ag. Lepage, W. Levesque, J. A. Trem-  
blay, L. N. Gravel, Nérée Pouliot, Odina Simard, Sta-  
nislas Minier, all merchants ; Theo. Myrand and Jos. Giguère,  
physicians ; Edm. McLean, hotel-keeper ; Albert Fortin, con-  
tractor ; Rev. H. Cimon, parish priest, all residents of Bagot-  
ville, in the county of Chicoutimi ; Elz. Boivin, trader ; J. E. A.  
Dubuc, manufacturer, of Chicoutimi ; C. Wells, manufacturer,  
of Fulton, U. S. ; Lt.-Col. B. A. Scott, manufacturer, of Quebec ;  
Hon. P. Aug. Choquette, advocate and Senator, of Quebec ;  
Hon. E. F. de Varennes, notary and Legislative councillor,

Preamble.

of Waterloo, and others have, by their petition prayed for the passing of an act to incorporate them and grant them the necessary rights, powers and privileges for constructing and operating the railway hereinafter described; and whereas it is expedient to grant such petition.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons in-  
corporated.

Name.

1. The persons above mentioned and all others who are and may become associated with them under this act, are incorporated under the name of "The Ha ! Ha ! Bay Railway Company."

Powers to  
construct,  
&c., certain  
railway.

2. The company shall have the power to construct and operate by steam or electric power or both, a railway from a point on the Quebec and Lake St. John Railway, between Jonquières Station or Roberval and its terminus in the town of Chicoutimi, to the shore of Ha ! Ha ! Bay at Bagotville village, in the county of Chicoutimi ; also two branch lines not exceeding ten miles each in length, one northward to the Chicoutimi pulp-mills and another southward to Lake Kenogami, and a third branch from St. Alphonse to St. Alexis about four miles, connected with the main line and to be considered to all intents and purposes as forming part thereof and enjoying all the rights, powers and privileges connected therewith; and, further, to build and operate, in connection with such railway, a telegraph and telephone line along the length thereof.

Provisions  
applicable.

3. The provisions of law now in force with regard to railways in this Province and their amendments except paragraph 11 of article 5132 and paragraph 16 of article 5134 of the Revised Statutes shall apply to this act.

Capital  
stock.

Increase  
thereof.

4. The capital stock of the company shall be six hundred thousand dollars. It shall be divided into shares of one hundred dollars each, and it may be increased in the manner provided by paragraph 19 of article 5132 of the Revised Statutes.

Aid for con-  
struction of  
railway, &c.

5. It shall be lawful for the company to receive, as aid in the construction of the railway and of its branches, any vacant lands or any other real or personal property, or any sums of money, either as gifts or grants or by way of bonus, or in payment of stock ; and the majority of the directors may legally dispose of and alienate the said lands and other real or personal property for the purposes of the company.

Provisional  
directors.

6. Until the election of directors, which shall take place

at the first annual meeting of the shareholders, Messrs Angelinas Lepage, W. Levesque, J. A. Tremblay, E. F. de Varennes, J. E. A. Dubuc, Ed. McLean, Rev. H. Climon, P. Aug. Choquette and B. A. Scott, are constituted the board of provisional directors of the company, and five of them shall form a quorum.

While in office they shall have power and authority to fill <sup>Their powers.</sup> vacancies which may arise in the board, to open stock-books and have stock taken in the company, to call and cause to be paid up instalments on the stock subscribed, to issue bonds or debentures, to subscribe, endorse, draw and accept promissory notes and bills of exchange up to the sum of one hundred thousand dollars, and to commence and carry on the building and working of the said railway.

**7.** The first general meeting of the shareholders for the <sup>First shareholders' meeting.</sup> election of directors shall be held on the first Wednesday in September, 1908 in the village of Bagotville, at the place and hour specified in the notice calling such meeting.

Such notice shall be inserted in a newspaper published in <sup>Notice there-</sup> the town of Chicoutimi, during two weeks previous to the <sup>of.</sup> meeting. All subsequent general meetings of shareholders shall also be held on the first Wednesday in September of each year ; but the place and hour shall be fixed by the board of management. The other meetings of the shareholders shall be published according to the by-laws of the company.

**8.** The board of directors of the company shall be com- <sup>Directors.</sup> posed of nine members, eight of whom shall be elected annually by the shareholders of the company and one annually by the municipal council of the village of Bagotville. It shall not be necessary that the latter director be a shareholder of the company and the council shall appoint him at the general or special session preceding the general meeting of the shareholders of the company. Five shall be a quorum. The <sup>Quorum.</sup> directors shall choose one of their number to be president of the company, and another to be vice-president. The board <sup>President, &c.</sup> of directors may grant a salary to its president and one or more of its members.

**9.** No one shall be elected a director unless he be the holder <sup>Directors'</sup> of ten shares of the capital stock of the company and have <sup>qualification.</sup> paid all the calls due thereon.

**10.** Notwithstanding paragraph 3 of article 5134 of the <sup>Replacing of</sup> Revised Statutes, the directors or the majority of them may <sup>directors.</sup> replace directors who are deceased or have refused to act, by shareholders duly qualified to be directors. The directors so

appointed, shall remain in office until the ensuing election in September.

**Head office.** **11.** The chief place of business and the head office of the company shall be in the village of Bagotville or in any other place fixed by the board of directors.

**Issue of paid up stock for certain purposes.** **12.** The directors may issue, as paid up stock of the company, shares whether subscribed for or not, and may allot and hand over such stock as paid-up stock, and mortgage bonds in payment of land, rolling stock or material of any kind, and also for the services rendered to the company by the directors thereof, for professional services or for those of employees and contractors.

**Such stock unassessable.** Such paid-up shares or bonds shall be binding on the company and shall be unassessable thereafter for calls.

**Borrowing; issue of bonds, &c.** **13.** The directors of the company are authorized to borrow, either in Canada or elsewhere, all sums of money necessary to complete, maintain and work the railway ; to issue mortgage bonds, bearing the seal of the company and signed by the president or other officer acting as president and countersigned by the secretary. Such bonds shall be payable in such manner, at such rates, in Canada or elsewhere, and bear such interest as the directors may fix, and the latter may sell or pledge the same at such price and on such terms and conditions as they may deem expedient. The amount of such bonds shall not exceed twenty thousand dollars per mile.

**Securing of bonds, &c.** **14.** In order to secure the priority, lien, charge, hypothec and privilege regarded as belonging to or created by all bonds issued under the provisions of this act, it shall not be necessary to register such bonds according to the requirements of the Civil Code or any other law ; but it shall be sufficient to register in the registry offices of the counties through which the said railway passes, within two months after their sale, a copy, certified by the secretary or treasurer of the company, of the form used for all such bonds, accompanied by a certificate signed by the secretary or treasurer of the company, mentioning the date of issue, and the number and amount of the bonds issued or negotiated.

**Bonds, &c., how payable, &c.** **15.** All bonds, debentures, mortgages and other securities authorized by this act, and their coupons and certificates of interest due, may respectively be made payable to bearer, and, in such case, shall be transferable by simple delivery. The bearer may sue for the recovery thereof in his own name.

**16.** The company shall have power and authority to be-Execution of  
come parties to promissory notes and bills of exchange, pro-  
vided the amount of the same be at least one hundred dollars.  
Any such promissory note or bill of exchange, in order to be  
binding on the company, shall be subscribed, accepted or  
endorsed, as the case may be, by the president or vice-presi-  
dent of the company and countersigned by the secretary  
of the company, under the authority of a majority of a quorum  
of the directors. The seal of the company is not necessary  
to render such notes or bills valid. The president, vice-pre-  
sident, treasurer and secretary of the company shall not be  
personally responsible for the same, unless the said promissory  
notes or bills of exchange have been signed, endorsed, accepted  
or negotiated without the authority required by this act.

**17.** The directors may, at any time, call upon the share-Calls on  
holders for instalments upon each share, which they or any  
of them may hold in the capital stock of the company, not to  
exceed ten per cent. of the capital subscribed. But they  
cannot make any such call without sending one month's notice  
thereof by mail by registered letter to each shareholder.

**18.** The company is authorized to sell or lease all its prop-Sale, &c., of  
erty, rights, privileges and interests to any other railway  
or industrial company or to the Government of the Dominion  
of Canada ; to amalgamate with any other railway company ;  
to acquire or lease any other railway or undertaking ; to build  
lease and operate hotels ; to make any arrangements with  
any other railway or industrial company or with the Govern-  
ment of the Dominion of Canada, for granting the right of  
running over its line or to acquire such right for any period  
of time, and, generally, to make any arrangement with any  
other railway companies, or with the Government of the  
Dominion of Canada, or with any industrial companies, by  
means of transfers, leases, amalgamations or fusions with  
respect to any railway, part of a railway, railway undertaking  
or any service to be rendered by one company to another,  
or to the said Government and *vice versa*, or by this company  
jointly with one or more others, with the said Government  
and *vice versa*. Amalgama-  
tion, &c.

**19.** All deeds and conveyances of land to the company, Form of  
for the purposes of this undertaking, shall, as far as circum-deeds, &c.  
stances permit, be in the form of schedule A to this act an-  
nexed, or in words of like import, in order that all such deeds  
may be duly registered at length as required by law. The  
registrars shall charge, for all costs on such registration, fifty  
cents. Such registration shall be deemed to be valid, any  
Cost of regis-  
tration, &c.

statute or provision of law to the contrary notwithstanding, and shall have the same effect as the registration prescribed by the Civil Code.

When building to be begun. **20.** The said railway shall be commenced by the building of at least ten miles of road within three years from the coming into force of this act.

And completed. The building of the entire line shall be completed within five years from the coming into force of this act.

Forfeiture in certain cases. In the event of any one of these conditions not being fulfilled, the powers, rights and privileges conferred by this act, shall lapse, except for that portion of the road then built.

Coming into force. **21.** This act shall come into force on the day of its sanction.

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## SCHEDULE A

### DEED OF SALE

Know all men by these presents that I., A. B., of  
in consideration of \_\_\_\_\_ dollars, which  
I acknowledge to have received from the Ha ! Ha ! Bay Railway Company, grant, sell and convey unto the said Company  
all that tract or parcel of land, viz : [*here describe the land*];  
the said Company to have and hold the said land and premises,  
its successors and assigns forever.

Witness my hand and seal, at \_\_\_\_\_, this \_\_\_\_\_ day of  
one thousand nine hundred and \_\_\_\_\_

Signed, sealed and delivered }  
in presence of \_\_\_\_\_ } A. B.  
[L. S.]

C. D.  
E. F.

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## CHAP. 108

## An Act to incorporate the L'Avenir and Melbourne Railway Company

[Assented to 25th April, 1908]

**W**HEREAS Benjamin E. Reed, farmer and Gordon E. Bogie farmer, both of the township of Durham, in the district of Arthabaska, Joseph Laferté, M.L.A., of the township of Grantham in said district and Peter S. G. Mackenzie, K.C., M.L.A., of the township of Melbourne in the district of St. Francis, have presented a petition praying that they and such persons, firms or corporations who may hereafter become shareholders therein, be constituted a corporation for the purpose of building and operating a railway as hereinafter mentioned, and that the building and operating of such railway will greatly benefit the Province and more particularly the places through which the same will pass ;

Whereas it is expedient to grant the prayer of said petition. Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Benjamin E. Reed, farmer; George E. Bogie, farmer, both Persons in- of the township of Durham, in the district of Arthabaska; corporated. Joseph Laferté, M.L.A., of the township of Grantham in said district and Peter S. G. Mackenzie, K.C., M.L.A. of the township of Melbourne in the district of St. Francis and all persons, firms or corporations who may hereafter become shareholders therein, are constituted a corporation under the name of The Name. L'Avenir and Melbourne Railway Company.

2. The company may lay out, construct and operate a Route of rail- railway or tramway of the gauge of four feet eight and one- way, &c. half inches, from a point in the town of Richmond or village of Melbourne, in the district of St. Francis, and following the banks of the river St. Francis on either side of the said river to the town of Drummondville, in the district of Arthabaska, with the right to build bridges wherever necessary across the said river for the purposes of the railway ; and may build branch lines necessary to facilitate the working of its main Branch lines. line, from any point or points of said railway or tramway to a distance not exceeding twenty-five miles.

3. The railway shall be operated by means of trains as on Motive steam lines, on of separate cars, as on tramways; and the power. traction shall be effected by electricity, steam, gasoline or

in any other manner that may seem most advantageous to the company.

**Traffic.**

Passengers and freight traffic may be carried by the same trains or by separate trains.

**New inventions, &c.**

The company may take advantage of every new invention or new method of operation in connection with railway transportation.

**Capital.**

**4.** The capital stock of the company shall be three hundred thousand dollars divided into three thousand shares of one hundred dollars each.

**Increase thereof.**

It may be increased, from time to time, to an amount not exceeding one million dollars, upon a vote of the majority in value of the shareholders present in person or represented by proxy at a special general meeting duly called for the purpose.

**Provisional directors.**

**5.** The persons named in section 1 of this act are constituted provisional directors of the company.

**Their term of office.**

**6.** These directors shall remain in office until the election of directors to be held under this act.

**Their powers.**

**7.** They have power, immediately after the sanction of this act, to fill vacancies occurring on the board, to open stock books and to obtain subscriptions to the capital stock of the company.

**Head office.**

**8.** The head office of the company shall be in the village of L'Avenir in the district of Arthabaska, or at such other place as the company shall from time to time determine by by-law.

**General shareholders' meeting.**

**9.** The annual general meeting of the shareholders shall take place on the second Tuesday of September, beginning in the year 1909, at the head office of the company.

**Election of directors.**

The board of directors shall be elected at such meeting.

**First shareholders' meeting.**

The first meeting for the election of directors and for the organization of the company shall be held at the village of L'Avenir, at such time as is specified by the provisional directors.

**Notices of above meetings.**

Such meetings and special meetings shall be convened by means of a notice, sent by registered letter addressed to each shareholder, as set forth in the company's stock book, and forwarded by mail at least eight days before the meeting.

**Notices of meetings.**

**10.** All notices of general or special meetings of the shareholders of the company shall be in writing, specifying the date, hour, place and object of the meeting, which notices shall be signed by the secretary or by one of the provisional direc-

tors, as the case may be, and sent by registered letter to the last address given by each shareholder of the company, at least eight days before the meeting.

The second sub-paragraph of paragraph 3 of article 5134 of the Revised Statutes shall not apply to the company. R.S.Q., par. 3, sub-par. 2, not to apply.

**11.** The board of directors shall consist of five members Directors. but the number may be increased to nine upon the adoption of a by-law to that effect, and a majority shall form a quorum. Quorum.

**12.** The directors may make calls upon the shareholders Calls. for such instalments as they may deem expedient.

However, no instalment called for shall exceed ten per cent Instalments of calls limited, &c. of the capital subscribed, and such instalment cannot be exacted unless a notice has been sent by mail to each shareholder, at least one month before the same is payable.

**13.** The company has power to construct the bridges Bridges, &c. required for its railway, over the river St. Francis, at such points as it may deem expedient, and to make such bridges suitable for the passage of horses, vehicles and foot passengers.

In the event of any of such bridges being opened to the public as a toll bridge, the tariff of tolls shall be fixed by the Lieutenant-Governor in Council. Tolls.

**14.** The company is further authorized to construct and Telegraph work any telegraph and telephone lines required for the work- and tele-  
phone lines. of the said railway.

**15.** The company may acquire or lease and operate water Acquisition, &c., of water-powers. powers along the line of its railway, or in the vicinity thereof, and construct, maintain and improve dykes, piers and flumes and all other works required for the development of such water powers as well as for producing electricity or other power.

It may also procure, by lease or otherwise, from any com- Leasing of  
electricity. pany or person, the electricity required for its railway.

**16.** The company may amalgamate with any other rail- Amalgama-  
tion. way company whose line it may cross or join.

**17.** It is authorized to enter into agreements with other Agreements  
with other  
companies. railway companies :

1. For the passage of its cars and running of its trains over Running  
rights, &c. any line of railway which its own line may cross or may join ; as well as for the running of the trains of any other railway company over its own line ;

2. For acquiring branch lines ;

ranch lines.

Facilitating  
connections.

3. For facilitating connections between its railway and any other ;

Acquiring  
privileges.

4. For acquiring the property, rights and privileges of other railway companies.

Leasing, &c.,  
road to other  
companies.

18. The company is further authorized to make arrangements with any other railway company for the purpose of leasing, selling or transferring the whole of its road or the whole of its interests in such road, or in any part thereof which may be built, on such conditions as the directors may deem expedient.

Certain mu-  
nicipalities  
may vote  
bonuses, &c.

19. Rural, village, or county municipalities interested in the construction of the railway, its branches and extensions, may, on complying with the requirements of the law in that behalf, vote bonuses in favor of the company, and subscribe for the company's shares.

Aid from  
Government,  
&c

20. The company may receive as aid towards the construction of its railway, either from the Government or from any individual, company, or municipal or other corporation in Canada or elsewhere, all lands or vacant lots situate in the vicinity of its railway or elsewhere, all moveable or immoveable property, exemptions from taxation, and all sums of money, either as a gift or bonus or in payment for capital subscribed ; and may sell such property and alienate or otherwise dispose of the same for the benefit of the company.

Directors  
appointed by  
certain mu-  
nicipalities,  
&c.

21. The council of every municipality which shall have granted a bonus or subsidy to the company in aid of the construction of its railway or branches, to the amount of at least ten thousand dollars, shall have the right to appoint a person as director of the said company, but only during the continuance of the work of construction of the railway in such municipality, and such person shall be a director in addition to the directors appointed by this act ; but such municipality shall not incur any liability by the appointment of such director.

Appointment  
of director  
by share-  
holder mu-  
nicipalities.

Every municipality holding shares of the subscribed stock of the company for an amount of not less than twenty-five thousand dollars, shall have the right to appoint annually a person as director of the said company, in addition to the directors appointed under this act ; but one and the same municipality cannot appoint two directors under this section.

Issue of paid  
up stock in  
certain cases.

22. The directors may issue, as paid up stock, shares of the company whether subscribed for or not, and may allot and hand over such stock as paid up stock, and the mortgage bonds of the company, in payment of right of way, plant,

rolling stock or materials of any kind, and also for the services of contractors or employees, and may also allot and hand over such shares and mortgage bonds to the creditors of the company, whether such creditors are or are not directors or shareholders of the company, in payment of any indebtedness of the company.

Such issue and allotment of bonds and stock shall be binding on the company and such stock shall not be assessable for calls. Such stock not assessable, &c.

**23.** The provisions now in force of the law regarding railways in this Province, and its amendments, except paragraph 16 of article 5134 of the Revised Statutes, shall apply to this company as regards its railway, except in cases of incompatibility or derogation, but shall not apply to the said company as regards the other powers hereby conferred upon it. General railway act to apply in certain cases, &c.

**24.** The limitation as to the rate of interest contained in paragraph 11 of article 5132 of the Revised Statutes, shall not apply to the company. Certain limitation as to interest not to apply.

**25.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 109

### An Act respecting the Magdalen River Valley Railway Company

[Assented to 25th April, 1908]

**W**HEREAS the Magdalen River Valley Railway Company, Preamble. incorporated by the act 7 Edward VII, chapter 90, has by its petition, prayed for authority to deviate the location of its line of railway and for certain amendments to its charter; and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Section 4 of the act 7 Edward VII, chapter 90, is replaced by the following : 7 Ed. VII, c. 90, s. 4, replaced.

**“ 4.** The company may lay out, construct and operate a railway of the standard gauge of four feet eight and one half inches, starting from a point on the lot upon which the Catholic Church is situate in the Seigniory of the Magdalen River in the county of Gaspé, and passing southerly over lots owned Company may construct, &c., railway. Route.

as follows :—first, George H. and Philip Synnett ; second, Joseph Synnett ; third, Remi Berubé ; fourth, Joseph Synnett ; fifth, Remi Berubé ; sixth, Narcisse Richard ; seventh, Joseph Richard and the wild land owned by Frank Ross, thence going across toward the south in said seigniory and to the east of the Magdalen River, and not approaching nearer than one fourth of a mile of the said river, to the point known as “ Little Falls ” except in passing the west point of the hill situate one mile more or less from high water-mark of the river St. Lawrence, measured on the easterly line of the church lot for a distance, measured along the railway, not exceeding fifteen hundred feet for which distance the said railway shall not approach nearer than one eighth of a mile from said river ; thence to the point known as Little Falls about three miles south from the present highway, and thence to the east of the Magdalen River to connect with the proposed inland section of the Atlantic Quebec and Western Railway, provided that the said river shall not be deteriorated by the building of the said railway.

Beginning  
and comple-  
tion of rail-  
way.

The said railway shall be commenced before the year 1910 and shall be completed and put in operation before the year 1913. ”

Id., s. 16,  
amended.

**2.** Section 16 of the said act is amended by adding at the end thereof the following, to wit :

Proviso.

“ Provided that such company shall not construct any siding, or branch lines within the limits of the Seigniory of the river Magdalen upon land now owned by the said Frank Ross. ”

Coming into  
force.

**3.** This act shall come into force on the day of its sanction.

## CHAP. 110

### An Act to amend the acts relating to the Montreal Street Railway Company

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS, the Montreal Street Railway Company, has, by petition represented that it is expedient for the company to issue warrants or certificates to bearer for shares of the company's capital stock, and whereas the company has executed a trust deed in favor of The Royal Trust Company for the purpose of securing bonds or debentures of the company ; and whereas doubts exist as to the effect of hypothecs and mortgages upon that part of the company's undertaking

situate in the public streets, and has prayed for the passing of an act to amend the acts relating to the company and to increase its powers; and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. It shall be lawful for the Montreal Street Railway Com-Bond certifi-pany to issue warrants or certificates to bearer for shares of <sup>notes.</sup> ~~the company's capital stock.~~

2. Such issue of warrants or certificates to bearer shall be <sup>Manner of</sup> made in such manner and form and upon such terms and con- <sup>issue.</sup> ~~ditions as may be fixed and determined by by-law.~~

3. The deed of conveyance in trust executed by the com-Certain trustpany in favor of the Royal Trust Company, on the 29th day <sup>deed confirm-</sup> of February, 1908, before J. A. Cameron, notary, under num- <sup>ed.</sup> ~~ber 7132 of his records for the purpose of securing bonds and debentures of the company issued or to be issued upon its property moveable or immoveable, present or future, is hereby ratified and confirmed and shall have force and effect according to its tenor as fully as if the same were incorporated in the present act.~~

4. This act shall come into force on the day of its sanction. <sup>Coming into</sup> ~~force.~~

## SCHEDULE

BEFORE JOHN ALEXANDER CAMERON, the undersigned notary public, for the Province of Quebec, residing and practising in the city of Montreal,

CAME AND APPEARED :

THE MONTREAL STREET RAILWAY COMPANY, a corporation incorporated by act of the Legislature of the heretofore Province of Canada (24 Victoria, chapter 84) under the name of the MONTREAL CITY PASSENGER RAILWAY COMPANY, as amended by acts of the legislature of the Province of Quebec, (31 Victoria, chapter 39 ; 34 Victoria, chapter 45 ; 35 Victoria, chapter 37 ; 37 Victoria, chapter 30 ; 41 Victoria, chapter 47 ; 49-50 Victoria, chapter 86, by which its name was changed to THE MONTREAL STREET RAILWAY COMPANY ; 57 Victoria, chapter 73 ;

62 Victoria, chapter 77 ; 6 Edward VII, chapter 67 ; and 7 Edward VII, chapter 98) and having its principal place of business at Montreal aforesaid ; herein acting by the Honourable Louis Joseph Forget, the president thereof, and Patrick Dubee, the secretary thereof, both of Montreal aforesaid ; and hereunto duly authorized by resolution of a special general meeting of the shareholders of the said company, duly called and held on the first day of February, nineteen hundred and eight, and by resolution of the board of directors of the said company, passed on the twenty-eighth day of February, nineteen hundred and eight, copies of which said resolutions certified by the secretary of the said company are hereunto annexed, and signed for identification on behalf or the parties hereto and by the said notary, party of the first part, hereinafter called the " Company ;" and

**THE ROYAL TRUST COMPANY**, a corporation having its principal place of business at Montreal aforesaid herein acting by its duly authorized officers **ARCHIBALD MACNIDER**, a member of the executive committee of the directors thereof, and **HUGH ROBERTSON**, the manager thereof, both of Montreal aforesaid, party of the second part, hereinafter called " the Trustee."

Which parties have declared to me notary, as follows :

Whereas the company is incorporated for the purpose of constructing and operating railways in the streets of the city of Montreal, and upon the highways in the municipalities adjacent thereto in the parish of Montreal ; and

Whereas the corporation of the city of Montreal and the municipalities adjacent thereto or any of them and the company are by said acts authorized to make and enter into agreements or covenants relating to the construction of the company's railway in said streets and highways ; and

Whereas the company has power to acquire by purchase, lease or otherwise, the rights, powers, franchises, privileges, lines of railway, electric wires, power-houses, electric appliances, cars, tracks and property generally of any other company upon the Island of Montreal ; and

Whereas the company has power from time to time to acquire and dispose of stocks, bonds or securities of other companies operating similar railways on the Island of Montreal ; and

Whereas the company has power to lease or enter into contracts for the operation by or in conjunction with it of the railway system of any electric railway on the Island of Montreal ; and

Whereas the company has power, with the consent of a majority of the shareholders present at a special general meet-



ing called for that purpose, to increase its capital stock and to issue new stock to the aggregate amount of eighteen million dollars (\$18,000,000) ; and

Whereas the directors of the company are authorized by said acts from time to time to raise or borrow for the purpose of the company any sum or sums not exceeding in the whole fifty per centum (50%) of the company's paid up capital stock by the issue of bonds or debentures in sums of not less than one hundred dollars each on such terms and conditions as they may think proper, and for securing the repayment of the moneys so raised and borrowed and the interest thereon, to pledge or mortgage all the property, tolls and income of the company or any part thereof ; and

Whereas the capital stock of the company issued and paid up is eight million nine hundred and eighty-five thousand one hundred dollars (\$8,985,100.00) currency ; and

Whereas on or about the first day of March, eighteen hundred and eighty-eight, the company issued debentures to the aggregate amount of sixty thousand pounds sterling (£60,000) payable on the first day of March, nineteen hundred and eight ; and

Whereas on or about the first day of August, eighteen hundred and ninety-three the company issued debentures to the aggregate amount of one hundred and forty thousand pounds sterling (£140,000.00) payable on the first day of August, nineteen hundred and twenty-three ; and

Whereas the said two issues of debentures of the first day of March, eighteen hundred and eighty-eight and the first day of August, eighteen hundred and ninety-three, are secured by means of a trust deed executed on the tenth day of August, eighteen hundred and ninety-three in favour of the Montreal Safe Deposit Company, (now the Montreal Trust and Deposit Company) as trustee, before McLennan, N. P. ; and

Whereas on the first day of May, nineteen hundred and two the company issued debentures to the aggregate amount, of one million five hundred thousand dollars (\$1,500,000.00), payable on the first day of May, nineteen hundred and twenty-two, all of which said last mentioned debentures are by their terms made a charge upon all the earnings, assets and property of the company, both present and future, including any capital uncalled for the time being on stock thereafter issued by the company, subject only to the debentures hereinbefore mentioned, without preference or priority one over another, and to be a floating security, so that the company shall not be at liberty to create thereafter any mortgage or charge in priority to the said last mentioned debentures ; and

Whereas the company has acquired and now owns certain common stock, preferred stock and bonds of the Montreal

Park and Island Railway Company; certain common stock and bonds of the Montreal Terminal Railway Company ; and certain common stock and bonds of the Suburban Tramway and Power Company ; all of said companies being corporations operating electric railways upon the Island of Montreal; and

Whereas the company has entered into contracts for the construction and operation of its railway with the city of Montreal and with different municipalities adjacent thereto, as follows : With the city of Montreal by deed before Marin, notary, on the eighth day of March eighteen hundred and ninety-three, confirmed by act of the Legislature of the Province of Quebec, 57 Victoria, chapter 73, section 4, on the eighth day of January, eighteen hundred and ninety-four ; and by deed before Morin, notary, on the twenty-third day of October nineteen hundred and one ; with the town of Cote St. Antoine (now the town of Westmount) by deed before Lyman, notary, on the eleventh day of August, eighteen hundred and ninety-three, confirmed by act of the Legislature of the Province of Quebec, 57 Victoria, chapter 73, section 4, on the eighth day of January, eighteen hundred and ninety-four ; and by deed before Lighthall, notary, on the seventeenth day of May, nineteen hundred and four ; with the city of Ste. Cunegonde (since annexed to the city of Montreal) by deed before McLennan, notary, on the tenth day of April, eighteen hundred and ninety-four ; with the city of St. Henri, (since annexed to the city of Montreal), by deed before McLennan, notary, on the tenth day of April, eighteen hundred and ninety-four ; with the town of Maisonneuve, by deed before Ecrement, notary, on the twenty-seventh day of May eighteen hundred and ninety-three, confirmed by the act of the Legislature of the Province of Quebec, 57 Victoria, chapter 73, section 4, on the eighth day of January, eighteen hundred and ninety-four ; and by deeds before Ecrement, notary, on the twenty-fourth day of September, eighteen hundred and ninety-seven and the twenty-sixth day of May, nineteen hundred and five ; with the village of Verdun, by deed before Fair, notary, on the fifth day of January, eighteen hundred and ninety-nine ; with the town of Côte St. Paul, by deed before Fair, notary, on the fourteenth day of January, nineteen hundred and one ; with the town of St. Louis, by deed before Olivier, notary, on the twenty-first day of October, nineteen hundred and one ; with the village of Delorimier, by deed before Mayrand, notary, on the twenty-fourth day of July, nineteen hundred and four ; and with the town of Outremont, by deed before Lyman, notary, on the twelfth day of March, nineteen hundred and six ; and

Whereas the company, on the eleventh day of January, eighteen hundred and ninety-three, entered into a contract

with the Montreal Park and Island Railway Company for the exchange of traffic and for other purposes ; and

Whereas on the first day of February, nineteen hundred and eight, at a special general meeting of the shareholders of the company held for that purpose, it was unanimously resolved that debentures not exceeding in the aggregate two million three hundred thousand dollars (\$2,300,000.00) should be issued and should be secured by a trust deed on so much of the company's property, moveable or immoveable, present or future, as the directors should deem expedient, provided that such deed should contain provisions securing and enabling the company to secure its other bonds or debentures issued or to be issued to an amount not exceeding the amount authorized by the company's charter, equally with the said two million three hundred thousand dollars (\$2,300,000.00), against the security to be created by such deed ; and

Whereas it is expedient that the bonds or debentures to be issued by the company, not exceeding at any time in the aggregate fifty per centum (50%) of its paid up capital, should be secured upon the company's property, present and future, in such manner as to entitle the holders of such debentures, subject to the charge created in favour of the Montreal Safe Deposit Company by the said deed executed before McLennan, notary, on the tenth day of August, eighteen hundred and ninety-three, to rank against the property of the company in priority to any creditors, other than the holders of debentures entitled to the benefit of the present deed, and without restricting the company in the acquisition and disposal from time to time of property, moveable or immoveable, expedient to be acquired or disposed of in the carrying on of its undertaking, or from entering into, surrendering or modifying from time to time contracts relative to the construction and operation of its railway in any city, town or other municipality, or to other of its purposes, or from dividing territory available for the operation of its railway between it and the companies in which it now holds or may hereafter hold stock in the manner most expedient for the carrying on of the whole of its business and undertaking ; and

Whereas by resolution of the board of directors of the company, passed on the twenty-eighth day of February, nineteen hundred and eight, the execution of the present deed was authorized ;

Now therefore these presents and I the said notary witness.

That the company, upon the trusts and subject to the terms and conditions hereinafter set forth, and in consideration of the sum of one dollar (\$1.00) current money of the Dominion of Canada, to the company duly paid by the trustee on or before the execution of these presents, receipt of which

is hereby acknowledged, whereof quit, and in consideration of the moneys borrowed or to be borrowed upon bonds or debentures issued or to be issued by it, within the limits provided by its charter, not exceeding in the aggregate fifty per centum (50%) of the amount of its paid up capital stock, and for the purpose of securing the company's bonds or debentures issued or to be issued as aforesaid, according to their tenor and effect, and in pursuance of the authorities contained in the acts of the Legislature of the heretofore Province of Canada and of the Province of Quebec hereinabove referred to ;

Hath pledged and hypothecated and doth hereby pledge and hypothecate, to and in favour of the trustee, its successors in the trust, and assigns, to an amount equivalent to the par value of the bonds or debentures at any time outstanding and secured hereunder ; and, subject to such hypothec, hath assigned, transferred and made over and doth hereby assign, transfer and make over to and unto the trustee, its successors in the trust, and assigns, all the property, moveable and immoveable, contracts, franchises, tolls and income of the company, present or future, including without limiting the generality of the foregoing, the following :

#### *I.—Railway and Rolling Stock*

All the company's railway, constructed or to be constructed whether lying in the public streets of the city of Montreal, or in the municipalities adjacent thereto in the parish of Montreal, upon real estate belonging to the company now or hereafter owned by it, or upon the property of third persons, under agreement with them or otherwise ; together with all the poles, wires, cars, engines, sweepers, plant and machinery incidental thereto or used in connection therewith, now or hereafter owned or to be owned by the company.

#### *II.—Lands and Buildings*

The following lots of land, with the power-houses, transformer stations, car erecting shops, repair shops, car barns, offices or other buildings situate thereon :

##### *Côté Street Car Barns and Depot*

1. A lot of land situate in the city of Montreal at the corner of Côté and Vitré streets, being lot number seven hundred and seventy-nine (No. 779) on the official plan of St. Lawrence ward in said city.

2. Lot number seven hundred and seventy-seven (No. 777) on the said official plan of said ward.

3. Lot number seven hundred and seventy-eight (No. 778) on the said official plan of said ward.

4. All the company's right, title and interest in and to certain lands situate in the said ward, bounded at one end towards the north-west by Vitré street, at the other end towards the south-east by the prolongation of the north-west side line of lot number seven hundred and eighty-three (No. 783) on the said official plan of said ward, on one side towards the north-east by lots numbers seven hundred and seventy-nine to seven hundred and eighty-two (Nos. 779 to 782) inclusive on the said official plan of the said ward, and on the other side towards the south-west by lots numbers seven hundred and seventy-six to seven hundred and seventy-eight (Nos. 776 to 778) inclusive on the said official plan of said ward, containing a uniform width of fifteen feet (15') by all the depth that there may be between Vitré street aforesaid and the prolongation of the said line of the said lot number seven hundred and eighty-three (No. 783).

5. A certain lot of land forming part of lot number seven hundred and eighty-two (No. 782) on the said official plan of the said ward containing forty-nine feet six inches (49' 6") in width in front by forty-eight feet eleven inches (48' 11") in width in rear by one hundred and six feet six inches (106' 6") in depth, bounded in front by Côté street, on the north-west side by another portion of said lot belonging to the company, on the south-east side by a lane twelve feet (12') in width, forming part of lot number seven hundred and eighty-three (No. 783) on the said official plan of said ward, and in rear by another lane.

6. The north-west half of a lane twelve feet (12') in width, extending from Côté street to a lane in rear, and being part of lot number seven hundred and eighty-three (No. 783) on the said official plan of said ward, bounded in front by Côté street, on one side by the property last above described, and on the other side by another portion of said lot number seven hundred and eighty-three (No. 783) sold by the Equity Real Estate Company to F. X. Robert, and subject to such rights of way as the latter or his representatives may have therein.

7. Lot number seven hundred and eighty (No. 780) on the said official plan of said ward.

8. Lot number seven hundred and eighty-one (No. 781) on the said official plan of said ward.

9. The north-westerly portion of lot number seven hundred and eighty-two (No. 782) on the said official plan of said ward containing twenty-four feet (24') in width in front and rear by

one hundred and five feet eleven inches (105' 11") on the north-west side line and one hundred and six feet three inches (106' 3") on the south-east side line, bounded in front by Côté street, in rear by a lane, on one side to the north-west by lot number seven hundred and eighty-one (No. 781) on said official plan of said ward and on the other side to the south-east by the remainder of said lot number seven hundred and eighty-two (No. 782).

*William and Barré streets.—Power Houses and Transformer Station*

1. Lots subdivision numbers eight and nine (Nos. 8 and 9) of lot number eight hundred and nine (No. 809) on the official plan of St. Antoine ward of the city of Montreal.
2. Lot number eight hundred and ten (No. 810) on the said official plan of said ward.
3. A lot of land consisting of part of lot number eight hundred and twelve (No. 812) on the said official plan of said ward being of triangular figure bounded on the east by lots numbers eight hundred and thirteen to eight hundred and fifteen (Nos. 813 to 815) inclusive on the said official plan of said ward; on the north-west by said lot number eight hundred and ten (No. 810); and on the south-west by the remainder of lot number eight hundred and twelve (No. 812) on the said official plan of said ward.
4. A lot of land of irregular figure being part of lot number twelve hundred and nine (No. 1209) on the official plan of the said ward, bounded in front to the south-east by William street, in rear to the north-west partly by lot number twelve hundred and twenty (No. 1220) on the said official plan of said ward and partly by lot number eight (No. 8) on the official subdivision plan of lot number twelve hundred and eighteen (No. 1218) on the said official plan of said ward, partly by Aqueduct street and partly by lots numbers twelve hundred and ten to twelve hundred and fourteen (Nos. 1210 to 1214) inclusive and lot number twelve hundred and sixteen (No. 1216) on the said official plan of said ward; on one side by another portion of said lot number twelve hundred and nine (No. 1209), the property of one Tremblay or representatives, and on the other side by another portion of said lot number twelve hundred and nine (No. 1209) the property of one Roy or representatives.
5. Lot number twelve hundred and twelve (No. 1212) on the said official plan of said ward.
6. Lot number twelve hundred and thirteen (No. 1213) on the said official plan of said ward.
7. Lot number twelve hundred and fourteen (No. 1214) on the said official plan of said ward.

8. Lot number twelve hundred and fifteen (No. 1215) on the said official plan of said ward.

9. Lot number twelve hundred and sixteen (No. 1216) on the said official plan of said ward.

10. Lot number twelve hundred and seventeen (No. 1217) on the said official plan of said ward.

11. A certain lot of land known on the said official plan of said ward by the number twelve hundred and eighteen (No. 1218) and more particularly known on the official subdivision plan thereof by subdivision numbers one to eight (Nos. 1 to 8) inclusive of lot number twelve hundred and eighteen (No. 1218).

12. Lot number twelve hundred and nineteen (No. 1219) on the said official plan of said ward.

13. Lot number twelve hundred and twenty-one (No. 1221) on the said official plan of said ward.

14. Lot number twelve hundred and forty-two (No. 1242) on the said official plan of said ward.

15. Lot number twelve hundred and forty-nine (No. 1249) on the said official plan of said ward.

*St. Henri Car Barns, Transformer Station and Storage Battery Plant*

1. Lot number sixteen hundred and thirty-one (No. 1631) on the official plan of the parish of Montreal.

2. Part of lot number sixteen hundred and thirty-two (No. 1632) on the said official plan of said parish, bounded in front by Bethune street, in rear by lot number sixteen hundred and thirty-five (No. 1635) on said official plan of said parish, on one side by lot number sixteen hundred and thirty-one (No. 1631) on the official plan of said parish and on the other side by the line dividing the heretofore town of Côte St. Antoine from the heretofore city of St. Henri.

3. Lot number sixteen hundred and thirty-five (No. 1635) on the said official plan of the said parish, less that portion thereof acquired by the heretofore city of St. Henri.

4. A lot of land being the north-west portion of lots numbers sixteen hundred and thirty-nine and sixteen hundred and forty (1639 and 1640) on the said official plan of the said parish, of triangular form, twenty-four feet six inches (24'6") on one side, ninety-four feet six inches (94'6"), on another side and ninety-six feet (96') on the third side, bounded to the north and west by the said lot number sixteen hundred and thirty-five (No. 1635) and to the east by St. Antoine Street.

5. A lot of land being the north-west portion of lot number sixteen hundred and forty-four (No. 1644) on the said official

plan of the said parish, of irregular shape, bounded to the south-east by another portion of said lot number sixteen hundred and forty-four (No. 1644), to the north-west by lot number sixteen hundred and fifty-seven (No. 1657) on the said official plans of said parish, to the south-west, partly by a portion of said lot number sixteen hundred and forty-four (No. 1644) belonging to one Macdougall or representatives, and partly by lot number sixteen hundred and forty-eight (No. 1648) on the said official plan of said parish.

6. A lot of land being part of said lot number sixteen hundred and fifty-seven (No. 1657) on the said official plan of said parish, bounded to the north-east by the portion of said lot taken for the widening of Glen Road, to the south-east by a portion of said lot number sixteen hundred and forty-four (No. 1644), to the south-west by a portion of said lot number sixteen hundred and fifty-seven (No. 1657) belonging to one Henault or representatives, and to the north-west by another portion of said lot number sixteen hundred and fifty-seven (No. 1657) belonging to one Bernier or representatives.

*St. Denis Street Car Barns, Transformer Station and Storage  
Battery Plant*

1. Lots subdivision numbers one to seven (Nos. 1 to 7) inclusive, numbers one hundred and nine to one hundred and seventeen (Nos 109 to 117) inclusive and numbers three hundred and eighteen to three hundred and twenty-eight (Nos 318 to 328) inclusive on the official subdivision plan of lot number eight (No. 8) on the official plan of the village of Côte St. Louis.

2. A piece of land being part of lot number one hundred and eight (No. 108) on the official subdivision plan of lot number eight (No. 8) on the said official plan of the said village, bounded to the south by a street or lane immediately to the north of the railway of the Canadian Pacific Railway Company, to the west by lots subdivision numbers one to seven (Nos 1 to 7) inclusive above described, to the north by the southern line of De Fleuremont Street, and to the east by lots subdivision numbers one hundred and nine to one hundred and seventeen (Nos 109 to 117) inclusive above described.

3. Lots subdivision numbers one hundred and five, two hundred and fifteen, two hundred and twenty-one, four hundred and thirty-eight, four hundred and forty-four, and five hundred and fifty-four to five hundred and fifty-six inclusive (Nos 105, 215, 221, 438, 444 and 554 to 556 inclusive) on the official subdivision plan of lot number eight (No. 8) on the official plan of the said village, now known and described upon the corrected plan thereof as parts of lot number three hun-



dred and forty (No. 340) on the said official plan of said village, which is the number designating the line of the Montreal Park and Island Railway Company.

4. Lots subdivision numbers nine to twenty-eight (Nos 9 to 28) inclusive, two hundred and ninety-eight to three hundred and twelve (298 to 312) inclusive, and three hundred and fourteen to three hundred and seventeen (314 to 317) inclusive on the official subdivision plan of lot number eight (No. 8) on the said official plan of said village, together with the north-west half of lot subdivision number three hundred and twelve (No. 312) and the south-east half of lot subdivision number three hundred and thirteen (No. 313) on the said subdivision plan of said lot number eight (No. 8.)

5. All the rights of the company in that portion of lot subdivision number one hundred and eight (No. 108) on the official subdivision plan of lot official number eight (No. 8) on the said official plan of the said village, forming part of Cowan Street, and in the lane lot subdivision number two hundred and ninety-seven (No. 297) on the said subdivision plan of said lot number eight (No. 8.)

6. The south-east half of lot subdivision number three hundred and twelve (No. 312) on the subdivision plan of said lot number eight (No. 8) on the said official plan of said village, and the north-west half of lot subdivision number three hundred and thirteen (No. 313) on the subdivision plan of said lot number eight (No. 8) on the said official plan of said village.

*Hochelaga Car Barns, Car Building Shops, Repairing Shops,  
Stores and Offices*

1. Lot number one hundred and sixty-three (No. 163) on the official plan of the village of Hochelaga.

2. Part of lot number one hundred and fifty-nine (159) on the said official plan of said village bounded in front by Notre Dame Street, on the north-east by DeLevis Street, in rear by St. Catherine Street and on the other side by said lot number one hundred and sixty-three (No. 163.)

3. Lots subdivision numbers four hundred and sixteen (No. 416) to four hundred and twenty-eight (No. 428) inclusive and numbers four hundred and forty (No. 440) to four hundred and fifty-three (No. 453) inclusive on the official subdivision plan of lot number eighteen (No. 18) on the official plan of said village, with such rights as the company may have in lot subdivision number four hundred and twenty-seven (No. 427) of the said lot number eighteen (No. 18.)

*Papineau Road Property*

1. Lot number two hundred and thirty-one (No. 231) on the official plan of St. Mary's Ward of the city of Montreal.

2. The north-west portion of lot number three hundred and thirty-four (No. 334) on the official plan of the village of Côte St. Louis, bounded in front by the Papineau Road, in rear by lot number three hundred and thirty-two (No. 332) on the official plan of the said village, to the north-west by lot three hundred and thirty-three (No. 333) on the said official plan and to the south-east by the remainder of said lot number three hundred and thirty-four (No. 334)

*Notre Dame Street Property*

1. A lot of land being portion of lot number nineteen hundred and twenty-three (No. 1923) on the official plan of the parish of Montreal, bounded in front to the south-east by Notre Dame Street, on the south-west by another portion of said lot, being a lane ten feet (10') in width, in rear to the north-west by the railway of the Canadian Pacific Railway Company, and to the north-east by another portion of the said lot number nineteen hundred and twenty-three (No. 1923.)

*Guy Street and Westmount Connection*

1. The right of the company to exploit its electric railway over a strip of land forming part of the farm of the Gentlemen Ecclesiastics of the Seminary of St. Sulpice, of Montreal, forty feet (40') in width by seven hundred and fifty feet (750') in length more or less (English measure) bounded in front by the Côte des Neiges Road, in rear by lot number one hundred and sixty-nine (No. 169) on the official plan of the village of Côte des Neiges, and on the other side by the property of the said Gentlemen Ecclesiastics.

2. Lots subdivision numbers one, one (a), two and three (Nos. 1, 1a, 2 and 3) on the subdivision plan of lot number one hundred and sixty eight (No. 168) on the official plan of the said village.

3. Lots subdivision numbers twelve (12) and eighteen (18) on the subdivision plan of lot number one hundred and sixty-seven (No. 167) on the said official plan of said village.

4. A portion of lot subdivision number seventeen (No. 17) on the subdivision plan of said lot number one hundred and sixty-seven (No. 167) said portion being bounded at one end by the Côte des Neiges Road and at the other end by the continuation of the south-westerly line of lot subdivision number three (No. 3) of lot number one hundred and sixty-eight

(No. 168), subdivision number two (No. 2) of lot number one hundred and sixty-seven (No. 167), and subdivision number eighteen (No. 18) of lot number one hundred and sixty-seven (No. 167) all as numbered on the respective subdivision plans of the said official lots, and on the other side by lots subdivision numbers one and two (Nos. 1 and 2) of said lot number one hundred and sixty-seven (No. 167) and lot subdivision number one (a) (No. 1a) of said lot number one hundred and sixty-eight (No. 168) on the said official plan of said village.

#### *St. Paul lots*

1. Lots numbers three thousand nine hundred and forty to three thousand nine hundred and fifty-seven (Nos. 3940 to 3957) inclusive on the official plan of the parish of Montreal.

#### *St. Denis Street property*

1. Lot subdivision number eighty (No. 80) of lot number two hundred and nine (No. 209) on the official plan of the village of Côte St. Louis, less a strip five feet (5') in width being the north-easterly portion thereof.

2. A strip of land adjoining the above described lot, and forming part of lot subdivision number eighty-four (No. 84) on the subdivision plan of said lot number two hundred and nine (No. 209) on the said official plan of the said village, containing ten feet in depth by all the width of the said lot number eighty-four (No. 84) less a piece of land ten feet (10') in width being the south-easterly portion thereof, bounded in front by St. Denis street, in rear by the remaining portion of the said lot subdivision number eighty-four (No. 84), on one side towards the north-west by lots subdivision numbers eighty-one and eighty-three (Nos. 81 and 83) of said lot number two hundred and nine (No. 209), and on the other side by lots subdivision numbers seventy-nine and eighty-five (Nos. 79 and 85) on the subdivision plan of the said lot official number two hundred and nine (No. 209).

3. Such rights of passage as the company may have in lot subdivision number two (No. 2) on the official subdivision plan of lot subdivision number seventy-nine (No. 79) on the official subdivision plan of said lot number two hundred and nine (No. 209) on the official plan of said village.

#### *Mount Royal and Park Avenue Office and Waiting Room*

1. Lots subdivision numbers sixty-eight, sixty-nine and seventy (Nos. 68, 69, and 70) on the official subdivision plan of

lot number thirteen (No. 13) on the official plan of the village of Côte St. Louis.

2. Lot subdivision number one (No. 1) on the official subdivision plan of lot number fourteen (No. 14) on the official plan of said village.

#### *St. Denis Street Car Barns*

1. Lots subdivision numbers thirty-six to forty (Nos. 36 to 40) inclusive and forty-nine to fifty-three (Nos. 49 to 53) inclusive on the official subdivision plan of lot official number one hundred and ninety-eight on the official plan of said village.

#### *Head Office Property*

1. Lot number one hundred and sixty-three (No. 163) on the official plan of the Centre ward of the city of Montreal.

### III.—RUNNING RIGHTS

All the rights that the company may have in or to the land now constituting Papineau Avenue and Davidson street and which it may be entitled to enjoy otherwise than under contract with the municipality having jurisdiction over said avenue and street.

### IV.—UNPAID CALLS

All the rights, which the company may have at any time when the trustee enters into possession under the powers herein contained to require any payment from any person or corporation in respect of any call or calls due and unpaid by such person or corporation upon any stock held by them in the company.

### V.—STOCKS AND SECURITIES OF OTHER COMPANIES

The following stocks and bonds owned by the company in other companies operating electric railways on the Island of Montreal :

1. Six thousand nine hundred and fifty-four (6954) shares of the common stock of the Montreal Park and Island Railway Company of the par value of one hundred dollars (\$100.00) each, whereof one hundred and forty (140) shares now stand in the names of the present directors of the said company but are the property of the Montreal Street Railway Company.

2. Three thousand one hundred and fifty (3,150) shares of

the preferred stock of the Montreal Park and Island Railway Company of the par value of one hundred dollars (\$100.00) each.

3. Ten thousand (10,000) shares of the common stock of the Suburban Tramway and Power Company of the par value of one hundred dollars (\$100.00) each fully paid, and two thousand five hundred (2,500) shares of the common stock of the said Suburban Tramway and Power Company, on which twenty per centum (20%) is paid up, of which sixteen hundred (1,600) shares stand in the name of the present directors of the said company, but are the property of the Montreal Street Railway Company.

4. Ten thousand shares of the common stock of the Montreal Terminal Railway Company of the par value of one hundred dollars (\$100.00) each whereof three hundred and fifty shares (350) stand in the name of the present directors of the said company but are the property of the Montreal Street Railway Company.

#### BONDS

1. One million and twenty-five thousand dollars (\$1,025,000.00) par value of the six per centum (6%) first mortgage gold bonds of the Montreal Park and Island Railway Company, due nineteen hundred and twenty-three.

2. Trustees' interim receipt for six hundred and thirteen thousand dollars (\$613,000.00) five per centum (5%) first mortgage gold bonds of the Montreal Terminal Railway Company, due nineteen hundred and thirty-four.

3. One million dollars (\$1,000,000.00) of five per centum (5%) first mortgage gold bonds of the Suburban Tramway and Power Company, due nineteen hundred and twenty-eight,

#### VI.—CONTRACTS WITH MUNICIPALITIES

The following contracts entered into between the company and the undermentioned municipal corporations.

1. Contract with the city of Montreal, before Marin, notary, dated the eighth (8th) day of March eighteen hundred and ninety-three (1893).

2. Contract with the town of Maisonneuve, before Ecrement, notary, dated the twenty-seventh (27th) day of May eighteen hundred and ninety-three (1893).

3. Contract with the town of Côte St. Antoine (now the town of Westmount) before Lyman, notary, dated the eleventh (11th) day of August eighteen hundred and ninety-three (1893).

4. Contract with the city of Ste. Cunégonde (since annexed to the city of Montreal) before McLennan, notary, dated the tenth (10th) day of April eighteen hundred and ninety-four (1894).

5. Contract with the city of St. Henri (since annexed to the city of Montreal) before McLennan, notary, dated the tenth (10th) day of April eighteen hundred and ninety-four (1894).

6. Supplementary contract with the town of Maisonneuve before Ecrement, notary, dated the twenty-fourth (24th) day of September, eighteen hundred and ninety-seven (1897).

7. Contract with the village of Verdun before Fair, notary, dated the fifth (5th) day of January eighteen hundred and ninety-nine (1899).

8. Contract with the town of St. Paul before Fair, notary, dated the fourteenth (14th) day of January nineteen hundred and one (1901).

9. Supplementary contract with the city of Montreal, before Morin, notary, dated the twenty-third (23rd) day of October, nineteen hundred and one (1901).

10. Contract with the town of St. Louis, before Olivier, notary, dated the twenty-seventh (27th) day of October, nineteen hundred and one (1901).

11. Supplementary contract with the town of Westmount, before Lighthall, notary, dated the seventeenth (17th) day of May, nineteen hundred and four (1904).

12. Contract with the village of DeLorimier, before Mayrand, notary, dated the twenty-first (21st) day of July, nineteen hundred and four (1904).

13. Supplementary contract with the town of Maisonneuve before Ecrement, notary, dated the twenty-sixth (26th) day of May 1905.

14. Contract with the town of Outremont, before Lyman, notary, dated the twelfth (12th) day of March, nineteen hundred and three (1903).

#### VII.—CONTRACT WITH THE MONTREAL PARK AND ISLAND RAILWAY COMPANY

Contract between the company and the Montreal Park and Island Railway Company, executed the eleventh (11th) day of July eighteen hundred and ninety-three (1893).

#### VIII.—OTHER CONTRACTS

The benefit of any and all contracts which may be in force at any time at which the trustee may enter into possession and

which the trustee may deem to be of advantage in the operation of the company's undertaking ;

Together with all the property which the company may hereafter acquire, whether of a like nature or otherwise ; the whole whereof is hereinafter referred to as the mortgaged premises ;

To have and to hold the said mortgaged premises and every part thereof to and unto the use of the trustee, its successors in the trust, and assigns, for ever ; without any warranty except that the company has not done anything to encumber the same except as hereinabove recited.

In trust to hold the same for the benefit of the holders of the bonds or debentures issued or to be issued by the company within the limits of its powers, as contained in the acts of the Legislature of the heretofore Province of Canada and of the Province of Quebec, hereinabove referred to, not exceeding at any time fifty per centum (50%) of the par value of the paid up capital stock of the company, and subject to the terms, conditions and provisions hereinafter set forth :

#### ARTICLE I

1. The debentures presently intended to be issued and to be secured by these presents are dated the first (1st) day of February nineteen hundred and eight (1908) and amount in the aggregate to four hundred and sixty thousand pounds (£460,000). sterling money of the United Kingdom of Great Britain and Ireland and bear interest at the rate of four and one-half per centum (4½%) per annum, payable on the first days of May and November in each year, and the said debentures are to be numbered consecutively and to be in denominations of one hundred pounds (£100.0.0) sterling each or multiples thereof and substantially in the following form :

DOMINION OF CANADA, }  
Province of Quebec. }

MONTREAL STREET RAILWAY COMPANY PAID UP CAPITAL  
\$8,985,100.00

*Divided into 89,851 shares of \$100.00 each*

Issue of £460,000. sterling of debentures of the par value of £100.0.0. sterling each under the authority of the acts of the Legislatures of the heretofore Province of Canada and of the Province of Quebec.

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## MONTREAL STREET RAILWAY COMPANY FOUR AND ONE HALF PER CENT DEBENTURES

The Montreal Street Railway Company (hereinafter called the Company) a body corporate, having its chief office in the city of Montreal, in the Province of Quebec, in the Dominion of Canada, will on the first day of May 1922, for value received, pay to the bearer hereof, or if registered to the registered holder hereof, on presentation and surrender of this debenture at the Bank of Montreal at London, in England, the sum of one hundred pounds sterling (£100.) in gold coin of the present standard of weight and fineness of the gold coin of the United Kingdom of Great Britain and Ireland, or at the option of the holder at the Bank of Montreal, at Montreal aforesaid, the equivalent in current money of the Dominion of Canada, at the rate of four dollars and eighty-six cents and two-thirds of a cent to the pound sterling.

The company will in the meantime pay interest thereon at the rate of four and one-half per centum (4½%) per annum by equal half yearly payments on the first days of May and November in each year in accordance with the coupons annexed hereto.

The company, subject to a deed of trust heretofore executed before McLennan, notary, on the tenth (10th) day of August eighteen hundred and ninety-three (1893) to secure debentures aggregating two hundred thousand pounds sterling (£200,000.0.0) has upon the terms and conditions set forth in a deed of trust executed before J. Alex. Cameron, notary, on the twenty-ninth day of February nineteen hundred and eight (1908) in favour of The Royal Trust Company, charged with the payment of its bonds or debentures, issued or to be issued, not exceeding in the aggregate fifty per centum (50%) of its paid up capital stock, all its property, moveable or immoveable, present or future, including any capital uncalled for the time being on stock issued by the company.

The debentures of the present issue, whereof this debenture is one, are numbered consecutively from 0001 upwards and are to rank *pari passu* as a charge upon the property covered by the said deed with the company's other bonds or debentures issued or to be issued, not exceeding in the aggregate the above amount, being that authorized by the company's charter.

This debenture is issued under the authority of 49 and 50 Victoria, chapter 86. of the acts of the Legislature of the Province of Quebec and by virtue of a resolution passed at a special general meeting of the shareholders of the company, held at Montreal on the first day of February nineteen hundred and eight, and of a resolution of the directors of the company passed at a meeting held at Montreal on the twenty-eighth day of February nineteen hundred and eight.



This debenture, but not its coupons, is subject to registration from time to time in accordance with the registration conditions endorsed hereon. Registration shall not affect the negotiability of the coupons which shall continue to be transferable by delivery, and the payment of any coupon to the bearer thereof shall be a discharge to the company in respect of the interest therein mentioned.

This debenture shall not be valid until authenticated by the signature on behalf of the trustee of the certificate engraved hereon.

In witness whereof the company has caused its corporate seal to be hereunto affixed and these presents to be signed by its president and secretary.

Dated at Montreal this first day of May, nineteen hundred and eight.

.....  
President

.....  
Secretary.

*Coupon No.*

On the first day of November, nineteen hundred and eight, the Montreal Street Railway Company will pay to the bearer, at the office of the Bank of Montreal, London, England, Two pounds five shillings sterling (£2.5) or at the option of the holder the equivalent of the said sum in current money of the Dominion of Canada, at the Bank of Montreal, Montreal, upon delivery and surrender of this coupon for half-yearly interest on debenture No. ....

.....  
Secretary.

*Trustee's Certificate*

The Royal Trust Company hereby certifies that this debenture is one of the issue of debentures referred to in the within mentioned deed or trust.

The Royal Trust Co., Trustee,  
.....  
For the manager.

*Form of registration condition to be endorsed on debenture*

This debenture, but not its coupons, may be registered from time to time at the option of the holder in a register kept by the Bank of Montreal, at London, England, and if registered shall pass only by transfer upon such book, until a transfer shall have been registered to bearer in which case it shall again pass by delivery until again registered.

*Notice*

No writing is to be placed on this debenture except by an officer of the Bank of Montreal, at London, England.

Date of registry.	In whose name registered.	Registrar.

2. The signature of the secretary holding office at the time the bonds or debentures bear date may be engraved or lithographed upon said coupons and shall be binding upon the company, notwithstanding that such person may not be secretary when the bonds or debentures are delivered. The said bonds or debentures or any of them may be signed by the president or vice-president and secretary holding office at the time of signing or certifying or delivering said bonds.

Other bonds or debentures to be hereafter issued and entitled to the security to be created by this deed shall be, *mutatis mutandis*, substantially in like form and shall not be entitled to the benefit of the security created by the deed unless certified in like manner by the trustee.

3. Debentures of the par value of four hundred and sixty thousand pounds sterling (£460,000.0.0) shall be forthwith issued and countersigned by the trustee and delivered to the company, other bonds or debentures, not exceeding, with the bonds or debentures at any time outstanding fifty per centum (50%) of the par value of the paid up capital stock of the

company for the time being outstanding may be issued from time to time by the company on resolution of a special general meeting of the shareholders of the company and with the authority of the board of directors of the company, and when so issued shall be countersigned by the trustee and when so countersigned the holders thereof shall be entitled equally with holders of debentures of the present issue to the benefit of the security created by the deed.

All or any of said bonds or debentures issued or hereafter to be issued as aforesaid may be issued absolutely or may be issued, pledged or hypothecated from time to time to secure any obligation of the company and if and when re-delivered to the company shall be deemed to be unissued bonds or debentures and may be so dealt with by the company or the company may at its option cancel the same and issue fresh bonds to the like amount and in like form in lieu thereof. All such bonds or debentures issued or re-issued or substituted shall be subject to the provisions and entitled to the benefits hereof.

4. The company may at its option cause the trustee to execute and the trustee is hereby authorized upon a resolution of the directors of the company to sign and execute in its own name as trustee hereunder and to deliver to the company or its order interim certificates for any bonds or debentures entitled to be issued and to be secured by the security created by the present deed not exceeding in the aggregate fifty per centum of the company's paid up capital in amounts of one hundred pounds sterling (£100) or five hundred dollars currency (\$500.00) or any multiples thereof, which interim certificates shall entitle the holders thereof to the engraved bonds or debentures when ready for delivery and such interim certificates shall be secured upon the mortgaged premises in the same manner and to the same extent as the debentures in this deed referred to and shall be exchanged for a like amount of engraved bonds or debentures of the company to be issued as soon as possible after such bonds or debentures are engraved and executed in the form hereinabove provided

#### *Registration of bonds or debentures*

5. The company shall at all times cause to be kept at the offices of the Bank of Montreal, at London, England, a register or book in which the holder of bonds or debentures may register the same. Such registration shall be noted on the bond or debenture, after which no transfer shall be valid unless made by the registered owner or his attorney on the said register and similarly noted on the said bond or debenture, but the same may be discharged from registry by

being transferred to bearer on the register, said transfer being in like manner noted upon the bond or debenture, after which it shall again become transferable by delivery, but may be again and from time to time registered and discharged from registry.

All persons are invited to treat any bond or debenture that has not been registered or any bond or debenture that has been registered and afterwards re-transferred upon the register to bearer, as negotiable.

*Post office address of bond or debenture holders*

6. The company shall cause to be kept at the office of the trustee, a register in which shall be entered the name, occupation and post office address of every holder of any bonds or debentures secured hereunder who may desire to have his address so registered and all notices sent or required to be sent to any such holder under the terms of this deed shall be deemed to be validly given by letter registered and mailed to the address of the holder so contained in such register. Bond or debenture holders who have not registered their addresses as hereinabove provided, shall be sufficiently notified by advertisement inserted in a daily newspaper published at Montreal and in a daily newspaper published at London, in England.

*Lost and mutilated bonds or debentures*

7. If any bond or debenture secured hereunder shall be lost, mutilated or destroyed, the company may, with the approval of the trustee and on such terms as to indemnity or otherwise as may be imposed, cause to be issued and certified new bonds or debentures of like tenor and date and bearing the same serial numbers.

ARTICLE II

The company hereby covenants and agrees,—

*To carry on business*

1. That until the final payment of any and all the bonds or debentures secured, or to be secured by this deed, with the coupons annexed thereto, it will carry on and conduct its business in a proper and efficient manner and will keep proper books of account.

*To pay principal and interest*

2. That it will duly and punctually pay or cause to be paid to every holder of any bond or debenture issued or to be issued and secured hereunder, the principal and interest mentioned therein at the dates and places and in the manner set forth in such bond or debenture and in the coupons thereunto annexed. All said bonds or debentures when paid shall be forthwith cancelled and delivered to the trustee to be destroyed and all said coupons when paid shall be forthwith cancelled.

*To pay assessments, etc.*

3. That it will pay or cause to be paid all taxes, rates, levies or assessments, ordinary or extraordinary government fees or dues, levied, assessed or imposed upon or due by virtue or in respect of the mortgaged premises or any part thereof, to any government, municipal or other authority, and that it will exhibit to the trustee when required the receipts and vouchers establishing the fact of such payment.

*To effect registration of deeds, etc.*

4. That it will register these presents and all other instruments presented to it for that purpose by the trustee in virtue hereof without delay at any office where the registration or recording thereof may in the judgment of the trustee be of advantage to or necessary for the preservation of the security hereby created and that it will deliver or exhibit to the trustee on demand, certificates establishing such registrations and the same from time to time will renew, and that it will fulfil all the requirements of the laws or regulations of the federal, provincial or municipal governments of Canada, or any of their departments or of any other competent authority in so far as the same may be necessary for the preservation of the mortgaged premises.

*To maintain security*

5. That it will fully and effectually maintain and keep maintained the mortgaged premises so as to constitute a valid and effective security at all times until full and final payment of all the bonds or debentures issued or to be issued hereunder or of any of them with the coupons annexed to them, and that it will not permit or suffer the acquisition or registration of any builders', contractors' or workmen's lien or privilege upon or in respect of any part of the mortgaged premises.

6. That it will give to the trustee or to any person designated by it in writing all information concerning the business of the company and the manner in which it is carried on which may be reasonably necessary to the trustee in the administration of this trust.

*To keep in repair*

7. That it will keep in repair and good order the tracks, poles, wires, cars, engines, sweepers, buildings, machinery and fixtures necessary for the operation of its railway and undertaking and will provide all additional tracks, superstructures, cars, engines, sweepers, buildings, plant, machinery and fixtures necessary for the proper operation of its railway and undertaking.

*To pay trustee's expenses*

8. That it will repay to the trustee all moneys which may have been paid out by the trustee for taxes, legal expenses, charges or other expenditure whatsoever which the trustee may reasonably incur in and about the execution of the trust hereby created, with interest and the same shall be a first charge upon the mortgaged premises in preference to any of the said bonds, debentures or coupons.

*General covenant*

9. That it will do, observe and perform all acts, matters and things necessary or expedient to be done, observed or performed in virtue of any law of the Dominion of Canada or of any Province thereof for the purpose of creating, maintaining or perfecting the trust hereby created as a continuing security for the benefit of the holders of the said debentures.

*Further assurance*

10. That it will do, execute, acknowledge and deliver, or cause to be done, executed, acknowledged or delivered all and every such further acts, deeds, transfers and assurances in law as the trustee shall reasonably require for the better accomplishment and effecting of the covenants and provisions of this deed, and when and so often as the company shall hereafter acquire any additional property, moveable or immovable, that it will acquire, possess and hold the same and every part and parcel thereof upon and subject to the trusts hereby created, and will sign all deeds and instruments necessary to establish the rights of the trustee in respect thereof which the trustee shall present to it for that purpose.

*Transfer of stocks*

11. If and whenever any part of the property conveyed or agreed to be conveyed by the company to the trustee as security for the said bonds or debentures shall consist of shares in the capital stock of any other company, the said shares shall be transferred to the trustee and entered in the name of the trustee on the appropriate books of the company by which they are issued, and if certificates are issued the same shall be in the name of the trustee, save and except always such shares as may be used to qualify directors to serve upon the board of such company, as to which shares the obligation of the company to convey to the trustee, shall be sufficiently fulfilled by the company delivering to the trustee the certificate for the shares in the names of such directors endorsed in blank, or if no certificate be issued, then by procuring from such directors from time to time an undertaking to transfer their qualifying shares to the trustee if and when required.

## ARTICLE III

*Possession until default*

Until default shall have been made in the payment of the principal or interest of one or more of the bonds or debentures secured under this deed or until default shall have been made in respect of something herein required to be done or permitted by the company, the company shall be suffered and permitted to possess and operate, manage and enjoy the mortgaged premises with all the equipment and appurtenances thereof, and to take and use the rents, incomes and profits thereof in the same manner and to the same extent as if this deed had not been executed.

## ARTICLE IV

*General powers and duties of trustee as to security*

1. The trustee shall not be required to give security for its conduct or administration and shall not be responsible for the acts of any agents whom it may reasonably and properly employ in connection with the performance of its duties hereunder, and all necessary expenditure incurred by the trustee in connection with the employment of such agents, whether counsel, solicitors, notaries or otherwise, shall be a first charge and lien upon the proceeds of the mortgaged premises if and when the same be realised upon by the trustee.

*Employment of Agents*

2. The trustee may for the execution of the duties and in furtherance of the powers conferred upon it, appoint or employ as its agents, representatives or otherwise, any advocates, solicitors, accountants, inspectors or clerks.

*Requisition of Bondholders*

3. The trustee shall not be required to take any action in virtue of the powers conferred upon it hereunder unless and until it has been required so to do in writing signed by the holders of bonds or debentures forming at least one-tenth of the value of the bonds or debentures then outstanding, defining the action which it is required to take, and the trustee may, before taking such action, require the bond or debenture holders at whose instance such action is demanded to deposit with the trustee the bonds or debentures so held by them for which when so deposited the trustee shall issue receipts.

*Deposit before Proceeding*

4. The obligation of the trustee to commence or continue any act, action or proceeding for the purpose of realising upon the mortgaged premises or enforcing any of the provisions of this deed or any obligation hereby imposed upon the trustee shall be conditional upon the bond or debenture holders furnishing sufficient funds to the trustee to commence or continue such action or proceeding and a sufficient bond of indemnity to protect and hold harmless the trustee against loss or damage by reason thereof.

*Vacancies in trusteeship*

5. Should the trustee resign, be removed, cease to perform or in any way become incapable of performing the duties of trustee, a new trustee shall be named in its place by the directors of the company, if such event happen whilst the company is not in default. In the event of the board of directors failing to name a new trustee after being required so to do by any bond or debenture holder or if the nomination of such trustee be required at a time when the company is in default, the nomination of such new trustee shall not be made by the said board of directors, but shall be made by the holders of a majority in value of the then outstanding bonds or debentures present at a meeting called for that purpose.

When and so often as a new trustee shall be nominated hereunder, the rights, property and powers vested in the former trustee by virtue hereof shall *ipso facto* from such nomi-



nation be and become vested in like manner in the new trustee without any further evidence of title being required, but if for any reason any further assurance be deemed expedient the same shall be executed at the expense of the trust created by this deed and may lawfully and validly be executed by the retiring trustee or his or its legal representatives.

### *Responsibility of trustee*

6. The trustee shall not be responsible or liable otherwise than as a trustee for any debts contracted by it or for damages to persons or property or for salaries or non-fulfilment of contracts during any period wherein the trustee shall manage the mortgaged premises or be in possession thereof, and the trustee shall not be bound to do, observe or perform, nor to see to the doing, observance or performance by the company of anything which the company may be bound to do, observe or perform by virtue of this deed or otherwise or in any way to supervise or interfere with the conduct of the company's business unless and until the company shall have become in default to pay the principal or interest of one or more of the said bonds or debentures or to perform its obligations hereunder and the trustee shall have been required by the bond or debenture holders to enforce its rights under this deed and shall have been kept supplied with the moneys reasonably necessary to enable it to take the required action and with sufficient bonds of indemnity to protect and hold it harmless against loss or damage by reason thereof.

## ARTICLE V

### *Default*

The principal moneys of the said debentures secured under this deed shall become due and exigible in each and every of the following events :

#### *Default in interest*

1. If the company make default in the payment of any interest due on the said bonds or debentures and such default shall continue for a period of ninety (90) days ;

#### *Default in principal*

2. If the company make default in the payment of the principal moneys of any of the said bonds or debentures and such default shall continue for a period of ninety (90) days ;

*Insolvency*

3. If the company shall become insolvent, bankrupt or go into liquidation either voluntarily or by order of a court of competent jurisdiction or make a general assignment for the benefit of its creditors or otherwise acknowledge its insolvency.

*Appointment of liquidator*

4. If a liquidator or liquidators, receiver or receivers, sequestrator or sequestrators be appointed to the company.

*Execution*

5. If any process or execution be levied or enforced upon or against any of the property, moveable or immoveable, of the company and remain unsatisfied for the space of three weeks.

*Failure to act*

6. If the company shall for the period of ninety days neglect to observe and carry out any of the obligations to which it is bound under the terms hereof and which the trustee is unwilling to waive under the powers conferred upon it herein.

## ARTICLE VI

*Powers of trustees in case of default.—Waiver*

1. The trustee may from time to time or at any time by instrument in writing only, waive on such terms and conditions as to it may seem expedient any breach by the company of any of the covenants in this deed contained, other than the covenant to pay ; but in case default shall be made in the payment of any instalment of interest on any of the said bonds or debentures after such interest shall become payable according to the provisions hereof, the holders of a majority in value of all the bonds or debentures secured under this deed and then outstanding and upon which default in payment of interest shall have been made and shall be continuing, shall have power by instrument in writing under their hands or by vote at a meeting of bond or debenture holders, duly convened and held as hereinafter provided at any time before the actual payment and acceptance of the interest so in arrear to instruct the trustee to waive such default on such terms and conditions as such majority shall prescribe, provided always that no act or omission either of the trustee or of the bond or debenture holders in the premises shall extend to or

be taken in any manner whatsoever to affect any subsequent default or any rights resulting therefrom.

### *Entry*

2. In case default shall be made in the payment of the principal or interest of any of the bonds or debentures secured hereby and the same shall have continued for ninety (90) days or if the same shall have otherwise become due by virtue of the provisions hereof, the trustee may in its discretion after having given thirty days' notice in writing to the company, and shall upon the request in writing of the holders of one half of the total amount of bonds or debentures then outstanding, and after giving thirty days' notice in writing to the company, enter by its officers, agents or attorneys into and upon all and every part of the mortgaged premises and thenceforth, have, hold, possess and enjoy the same with all rights, privileges and franchises hereby vested in the trustee, with full power to carry on manage and conduct the business and operations of the company in all respects and in the same manner and with the same powers as the company might have done had it continued in possession, and it shall be lawful for the trustee, either after such entry as aforesaid or without any entry after such default and after ninety (90) days' notice to sell and dispose of all the mortgaged premises either as a whole or in such parts as the trustee may deem expedient at public auction or by private sale at such place and time and upon such terms and conditions as the trustee may deem expedient, such notice of the time, place, terms and conditions of such sale having been given by six separate insertions in a daily paper published at Montreal, and six separate insertions in a daily paper published in London, England, at least ninety (90) days before the time fixed for such sale, and it shall be lawful for the trustee to make such sale upon such conditions as to upset price and as to reserve bid or price as it may deem proper and to receive the price or consideration of such sale in its discretion either wholly in cash or partly in cash and partly in bonds or debentures secured hereunder in such proportions, at such rate and for such amount as it may deem proper and as can be done consistently with the rights of all the holders of bonds or debentures secured hereunder to rank equally against the security created hereby and the trustee shall have power to rescind or vary any contract of sale that it may have entered into and to resell, and to adjourn any sale from time to time and to make and deliver to the purchaser or purchasers of the mortgaged premises or any part thereof good and sufficient deeds of conveyance for the same, the trustee being hereby constituted the attorney irrevocable

of the company for the purpose of making such sale and executing such deeds, which sale or sales as aforesaid shall be a perpetual bar against the company and its assigns and all other persons claiming the said mortgaged premises or any part thereof, from, through or under the company or its assigns, and the proceeds of such sale or sales shall be distributed in the manner hereinafter provided.

### *Surrender*

3. The company in case of default hereunder binds and obliges itself forthwith on the demand of the trustee to yield up possession of the mortgaged premises and the conduct of its business to the trustee, and undertakes to put no obstacle in the way of but to facilitate by all legal means the actions of the trustee and not to interfere with the carrying out of the powers hereby granted to the trustee, and the company hereby agrees to consent and does consent to the appointment, on the demand of the trustee at the time of default, of a receiver or receivers, manager or managers, liquidator or liquidators, sequestrator or sequestrators, with any and all of the powers with which the trustee is hereby vested. The company hereby undertakes in the said event to consent and does consent to any petition or application presented to any court by the trustee in order to effectuate the intention of this deed as above set forth and that it will not, after receiving notice from the trustee that it has taken possession of the mortgaged premises, continue in said business except with the express written consent and authority of the trustee and then only to the extent to which the trustee shall in writing have agreed, and the company shall forthwith by and through its officers execute such documents and transfers as may be necessary to place the trustee in legal possession of the mortgaged premises and to enable the trustee to reduce to possession all the property to which the trustee may be entitled, but of which it may not at such time have possession, and after receipt of such notice all the powers, functions, rights and privileges of each and every of the directors and officers of the company shall as respects the mortgaged premises and the undertaking of the company, cease and determine, except in so far as the same may be specially authorized to be continued by the trustee in writing.

### ARTICLE VII.

#### *Disposal and release of mortgaged premises*

The charge hereby created on the mortgaged premises is intended to be of such a nature as will prevent creditors other

than the holders of bonds or debentures entitled to the benefit of this security from ranking on the mortgaged premises until such times as the holders of bonds or debentures entitled to the benefit thereof shall have been paid in full but not so as to interfere with the company before default, in the ownership, disposal, control and management of the mortgaged premises, its business and undertakings, as the same might have been enjoyed by it if these presents had not been executed ; and without limitation of the foregoing it is agreed that at any time, so long as the company shall not be in default to pay the principal or interest of any of the said debentures or to observe the covenants and agreements hereof, the company may :

1. Sell, lease, exchange, substitute or otherwise dispose of any part of the mortgaged premises in the possession of the company and which in the opinion of the company it may no longer be desirable to retain for the purposes of the company, on such terms and conditions as the company may think proper.

2. Discontinue, abandon or cease from operating or working any part of the company's property which in the opinion of the company may be unprofitable or be a source of loss to the company or which for any other reason the company may deem it advisable not further to operate or work and the company shall not in that event be bound to maintain or keep up such part of the said property or the building or appurtenances in connection therewith except so far as may be necessary to maintain the saleable value of the same as something not required for the company's purposes.

- 3 To vary, modify or surrender any contract or arrangement which it may have with any municipal corporation for the operation of its railway, or other contract in respect of any part of its undertaking upon such terms and conditions and for such considerations as the company may deem expedient.

4. Assign, transfer or make over to any subsidiary company controlled by the company through the holding by the company of the majority of its stock, any property, moveable or immoveable, or any contracts or rights now or hereafter vested in the company, if, in the opinion of the company it is to the advantage of the company to assign, transfer or make over the same to such subsidiary company, or if in the opinion of the company any contract which the company may have may be carried out most advantageously for the company through the instrumentality of such subsidiary company.

5. If any part of the mortgaged premises shall be sold or transferred by virtue of the foregoing provisions, the proceeds, if any, which shall be realized by reason thereof shall be in-

vested by the company in the acquisition of other property, moveable or immoveable useful for the company's purposes which shall in turn become vested in the trustee and subject to the trust hereby created, or if not so invested such proceeds shall be applied in the purchase of debentures secured hereby and the debentures so purchased shall be cancelled and delivered to the trustee to be destroyed.

6. If any property shall be exchanged, substituted or otherwise disposed of and if the company shall receive in exchange or substitution therefor or as consideration for such disposal, other property of any kind suitable to or useful for the company's purposes, then and in that event the property so acquired shall likewise be conveyed to the trustee and become in turn subject to the trusts hereby created

7. The trustee is hereby authorized, at the request of the company, evidenced by resolution of the board of directors, to release from the operation of these presents any part of the mortgaged premises assigned, transferred sold, leased, exchanged, substituted or otherwise disposed of by the company in virtue of the foregoing provisions and to sign and execute all deeds and instruments necessary to effectuate such assignment, transfer, sale, lease, exchange, substitution or disposal.

8. The trustee may accept the resolution of the board of directors of the company to the effect that any part of the mortgaged premises is no longer required for the company's purposes or that it is expedient that any part thereof should be sold, leased, exchanged substituted or otherwise disposed of or that any contract should be abandoned varied, extended or modified, or any property, moveable or immoveable, contracts or rights assigned, transferred or made over to any subsidiary company, or that any property proposed to be acquired is suitable for the purposes of the company's business, and as to the value of any property, and may accept any such resolution of the board of directors as evidence of the facts stated therein and as justifying the action proposed to be taken in respect thereof

9. The trustees may require, but shall not be bound to require, a written report of a valuer or expert of good repute as to the value of any property proposed to be dealt with, or as to any facts stated in any such resolution, but the trustee shall in nowise be responsible for any error in any such resolution or valuation, or for any loss that may be incurred thereby.

10. The trustee may in its discretion but, shall not be obliged so to do, before taking any action under the powers conferred upon it by this section, call a meeting of the holders of bonds or debentures at such time outstanding for the purpose of

consulting such meeting as to the desirability of the exercise by the trustee of any such powers in cases where in the opinion of the trustee the action proposed to be taken by the company will necessarily diminish the value of the mortgaged premises, considered as a whole, to such extent as to permanently affect the security of the bond or debenture holders.

#### ARTICLE VIII

##### *Proceeds of sale.—Distribution*

1. The trustee shall hold all moneys arising from the sale or realisation by it, after foreclosure, of the whole or any part of the mortgaged premises upon trust that it shall therefrom in the first place pay or retain the costs and expenses incurred by it in and about the execution of this trust, and shall apply the residue of the said moneys, first, in and towards the payment to the holders of the said bonds or debentures, *pari passu*, in proportion to the amounts due to them respectively and without any preference or priority whatsoever, of all arrears of interest remaining unpaid on such bonds or debentures; Second, in and towards the payment to the holders of the said bonds or debentures *pari passu*, in proportion to the amounts due to them respectively and without any preference or priority either on account of priority of issue or otherwise of all principal moneys due in respect of said bonds or debentures; and lastly, the trustee shall pay the surplus if any, of such moneys to the company.

##### *Exception in certain cases*

2. The trustee shall not be bound to apply any money coming into its hands arising from the sale or realisation, after foreclosure, of any part of the mortgaged premises if, in its discretion the amount so received by it is insufficient to justify the distribution of it or if the trustee should consider such distribution inadvisable, but it may retain the moneys so received by it and deposit the same in a bank to its credit or invest the same until such time as it decides to distribute the same or is instructed so to do by a resolution of a meeting of the bond or debenture holders or by the holders of a majority of the bonds or debentures entitled to share in such distribution by writing under their hands.

##### *Notice of Payment*

3. Notice shall be given by the trustee of any distribution of moneys intended to be made amongst the bond or debenture

ture holders and such notice shall state the time and place at which such payment is to be made and after the day so fixed, the bond or debenture holders, after deduction of the respective amounts paid to them at such time and place, shall only be entitled to interest on the balance, if any, of the moneys due to them on the bonds or debentures held by them, and holders of bonds or debentures who fail to apply for money due them at such time and place, shall, if the money be then and there provided and kept at their disposal be deemed to have received the same. The receipt of the holder of each bond or debenture for the principal money or interest due thereon or any part thereof shall be a good discharge. The trustee shall have the right at the time of making such payment or distribution among the bond or debenture holders to demand of any person claiming payment the production of the actual bonds or debentures under which he claims, and on the trustee being satisfied that the person presenting the same is the legal holder thereof, it shall be entitled on making such payment to cause to be endorsed on the said bonds or debentures a memorandum of the amount so paid and of the date of payment, but the trustee may in its discretion and upon such terms or indemnity as it may deem expedient, dispense with the production of such bonds or debentures.

#### ARTICLE IX

##### *As to other remedies.—Suits by individual holders*

1. No holder of any bond, debenture or coupon hereby secured shall have any right to institute any suit, action or proceeding for the purpose of bringing the mortgaged premises or any part thereof to sale or for the execution of any trust hereby created, or for the appointment of a liquidator, receiver or sequestrator or to have the company wound up or for any other remedy hereunder unless the holder of such bond, debenture or coupon shall previously have given to the trustee written notice of default on the part of the company and of the continuance thereof for not less than ninety days and that the holders of one fourth in amount of the bonds or debentures at such time outstanding shall have required the trustee in writing to take action and shall have afforded the trustee reasonable opportunity to exercise the powers hereinbefore provided; and such notification and request are hereby declared in every case, at the option of the trustee, to be conditions precedent to the obligation of the trustee to exercise any of the powers conferred upon it hereunder.



*Remedies cumulative*

2. No right or remedy hereby conferred upon or reserved to the trustee or conferred upon or reserved to the holders of bonds or debentures secured hereunder is intended to be exclusive of any other right or remedy, but each and every such right or remedy shall be subject to the terms and conditions hereof, be cumulative and be in addition to every other right and remedy given hereunder or now existing or hereafter to exist, it being the intention of these presents further that all proceedings instituted by the trustee should be had and instituted for the equal benefit and advantage of all the said holders of bonds or debentures secured hereunder and that no one or more holders of said bonds or debentures should have any right in any manner whatsoever to affect, disturb or prejudice the security hereby created by any action except through the trustee when the trustee is not in default to fulfil its obligations hereunder.

## ARTICLE X

*Discharge*

When and so soon as all the bonds or debentures secured hereunder and the coupons annexed thereto shall have been paid in full as and when the same become due and are presented for payment or if any of the said bonds or debentures shall have become due and not been presented for payment, then when the amount of such bonds, debentures or coupons shall have been deposited with the trustee and when all the things hereby required to be performed by the company have been performed by it according to the true intent and meaning of this deed, then and in such case all the mortgaged premises and all the property, rights, franchises, tolls, revenues and income of the company shall revert to the company free and clear of the charge hereby created and the trustee in such case shall on the demand of the company and at its cost and expense enter a satisfaction of the charge hereby created upon any and all records where the said charge may be entered and shall cause a discharge and acquittance to the company to be executed in due form and delivered to the company.

## ARTICLE XI

*Meetings of bond or debenture holders.—Place of meeting*

1. Meetings of the holders of bonds or debentures secured hereunder may be held at the city of London, in England, or at the city of Montreal.

### *How to call*

2. Meetings of bond or debenture holders shall be called by the trustee,—

a. Of its own motion and at its own discretion.

b. Whenever required in writing so to do by the holders of one tenth in value of the bonds or debentures then outstanding.

3. Meetings of bond or debenture holders may be called by the holders of one tenth in value of the then outstanding bonds or debentures, if, after being requested so to do in writing by them the trustee fail within one week to give notice of the holding of such meeting.

4. Notice of the time and place of meetings shall be given by advertisement,—

a. In a daily paper published in the city of Montreal, by six consecutive insertions, the first whereof shall be inserted not less than fifteen (15) days prior to such meetings ;

b. In a daily paper published at London, England, by six consecutive insertions, the first whereof shall be inserted not less than fifteen (15) days prior to such meeting ;

c. By circular mailed not less than fifteen (15) days before the date fixed for such meeting and addressed to each bond or debenture holder whose name and address shall have been registered in accordance with the provisions hereof.

### *Object of meeting*

5. The notice convening the meeting shall state the object of the meeting in general terms.

### *Waiving of notice*

6. The bond or debenture holders or any of them may waive notice of any meeting.

### *Adjournment*

7. Meetings of bond or debenture holders may be adjourned from time to time by the holders who may attend such meetings without any new or further notice being necessary.

### *Rules*

8. Rules and regulations for the procedure at such meetings shall be binding if assented to in writing by the holders of seventy-five per centum (75%) in value of the bonds or debentures outstanding.

### *Votes*

9. Each bond or debenture holder shall have one vote for each one hundred pounds sterling (£100) or its equivalent represented by the par value of the bonds or debentures held by him. Holders may vote by proxy whether such proxy be himself a holder or not.

Bond or debenture holders shall not be entitled to vote when their vote is challenged if they fail to produce and exhibit the bonds or debentures in respect of which they claim to vote, or a certificate from the trustee that such bonds or debentures have been deposited with the trustee.

### *Quorum*

10. A quorum at a bond or debenture holders' meeting shall consist of the persons representing in person or by proxy holders of one tenth in value of the bonds or debentures then outstanding.

### *Officers at meetings*

11. Meetings may appoint a chairman and secretary.

### *Minutes*

12. The secretary shall keep careful and accurate minutes of each meeting and no action of any meeting shall be effective until the minutes thereof shall have been written up and certified by the chairman and secretary and filed with the trustee. Such minutes shall at all times be open to the inspection of bond or debenture holders.

### *Powers of meetings*

13. Meetings of bond or debenture holders shall have power by resolution assented to by the holders of fifty-one per centum (51%) in value of the outstanding bonds or debentures,—

a. To direct and control any action of the trustee hereunder wherein the trustee is given discretion to act;

b. To sanction any modification or compromise of the rights of the bond or debenture holders against the company or against its property other than the right of the bond or debenture holders to be paid the principal money and interest represented by their bonds or debentures and overdue coupons;

c. To authorize the trustee in the event of foreclosure to sell and dispose of any part of the mortgaged premises either

at public auction or by private sale with or without notice at such times and upon such terms and conditions, with or without an upset price and for such consideration to such persons, firms or companies as the meeting shall see fit and to receive the consideration therefor, either wholly in cash or partly in cash and partly in securities, as the meeting may direct ;

*d.* To authorize and direct the trustee at any sale of the mortgaged premises to bid the same in on behalf of the bond or debenture holders each in proportion to the amount of bonds or debentures held by him and to re-organise the company in such manner as to give to each bond or debenture holder an interest therein proportionate to the value of the bonds or debentures held by him ;

*e.* To authorize the trustee to apply to any court of competent jurisdiction for a winding up order or for the appointment of a liquidator ;

*f.* To appoint an advisory committee of bond or debenture holders to act in conjunction with the trustee and to prescribe the number, powers and rights of such committee and to delegate to such committee any of the powers of a meeting of bond or debenture holders hereunder.

### *Expenses*

14. The expenses of convening and holding meetings together with the legitimate travelling expenses of the agent of the trustee shall be payable by the company and shall be a charge upon the mortgaged premises in priority to the principal or interest of the said debentures.

### ARTICLE XII

#### *Acceptance by Trustee*

The said trustee hereby accepts the trust in this deed declared and provided, and agrees to perform the same upon the terms and conditions hereinbefore set forth, it being distinctly understood and agreed that the trustee is not to be liable for failure or defect of title to, or for any encumbrance upon the mortgaged premises or any part thereof, or for any statement of fact or recitals in this deed or in said bonds or debentures contained, or for the verification of the same; but all such statements and recitals are deemed to have been made by the company only and it is hereby declared and agreed between the parties hereto as a condition without which the trustee would not have entered into these presents or accepted the trust hereby created, that nothing herein contained shall in any wise cast upon the trustee

any obligation to make, register or record this or any deed or writing by way of mortgage from the company or otherwise upon any of the mortgaged premises or upon any property in order to effect or add to the security intended to be created by this deed nor shall it be the duty of the trustee to register or record this deed as a mortgage or otherwise or to procure any further or additional instruments of further assurance or to do any other act, even if suitable or proper to be done for the preservation of the security hereby created or for the giving of notice of the existence of any such charge or for supplementing the same.

IN WITNESS WHEREOF the parties have executed these presents at Montreal aforesaid, this twenty-ninth day of February one thousand nine hundred and eight, under the number seven thousand one hundred and thirty-two of the records of the undersigned notary, the same having been first duly read, and the respective seals of the said parties having been hereunto affixed together with the signatures of their respective officers.

(Signed) MONTREAL STREET RAILWAY CO.,  
[Seal] L. J. FORGET, *President*.  
PATRICK DUBEE, *Secretary*.  
“ THE ROYAL TRUST COMPANY,  
A. MACNIDER,  
[Seal] *Member Executive Committee*.  
H. ROBERTSON, *Manager*.  
“ J. A. CAMERON, N. P.

A true copy of the original hereof remaining of record in my office.

J. A. CAMERON, N. P.

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EXTRACT from the minutes of a special general meeting of the shareholders of the Montreal Street Railway Company, held on Friday the 1st day of February, 1908, at the offices of the company, Street Railway Chambers, at 12.00 noon.

Present the following directors :—

Hon. L. J. Forget, K. W. Blackwell, W. G. Ross, Geo. Caverhill and Paul Galibert and the following shareholders : M. Burke, G. Durnford, W. B. Blackader, P. R. Gault, A. L. Forbes, A. Kingman, Hon. Robt. Mackay, J. M. Fortier, F. S. Lyman, R. McLea, H. L. Henderson, W. O'Brien, John Paterson, W. W. Halpin, W. McLea Walbank and many others.

Upon motion of the president, seconded by the vice-president, it was unanimously resolved :—"That the company do issue bonds or debentures amounting in the aggregate to two million three hundred thousand dollars (\$2,300,000.00) payable either in currency or sterling in such form and upon such terms and conditions as the directors may determine and bearing interest at 4½% per annum and maturing on the 1st of May, 1922."

"2. That such bonds or debentures be secured upon the company's property moveable and immoveable to the extent that the directors may determine and that the directors be and they are hereby authorized to convey to trustees by notarial deed such of the property moveable and immoveable, present or future, of the company as they may think expedient upon such terms and conditions and with such remedies for the holders of said bonds or debentures as they may think expedient; provided that such deed shall contain provisions securing and enabling the company to secure its other bonds or debentures issued or to be issued not exceeding the amount authorized by the company's charter, equally with the bonds or debentures above referred to against the security to be created by such deed."

Upon motion of the president, seconded by the vice-president, it was unanimously resolved :—"That the bonds or debentures this day authorized to be issued be sold by the company on such terms and conditions and at such prices as the directors may determine."

The president then submitted the scrutineers' report which was as follows :—

"As scrutineers duly appointed by you at the special general meeting of the shareholders of the Montreal Street Railway Company, we beg to report that the result of the vote on the motions was 72,678 shares in favor of the motion and none against,—the first mentioned number of shares representing more than one-half of the total shares, capital of the company."

Certified a true copy,

[Seal]      (Signed) PATRICK DUBEE, *Secretary*.

Montreal, February 29th, 1908.

This is a certified copy of the resolution of the shareholders of the Montreal Street Railway Company, mentioned in and annexed to the deed of conveyance in trust by the said company to The Royal Trust Company executed before the undersigned

notary on this twenty-ninth day of February, one thousand nine hundred and eight.

*In test. veritatis :*

[Seal] (Signed) MONTREAL STREET RAILWAY Co.,

L. J. FORGET, *President.*

PATRICK DUBEE, *Secretary.*

[Seal] " THE ROYAL TRUST COMPANY,

A. MACNIDER,

*Member Executive Committee.*

H. ROBERTSON, *Manager.*

" J. A. CAMERON, N. P.

A true copy.

J. A. CAMERON, N. P.

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EXTRACT from the minutes of a meeting of the board of directors of the Montreal Street Railway Company, held on Friday, the twenty-eighth day of February, one thousand nine hundred and eight.

PRESENT :

Mr. K. W. Blackwell, vice-president, who in the absence of the president, took the chair. Messrs W. G. Ross, Geo. Caverhill, Paul Galibert, Robert Meighen and Sir H. Montagu Allan, being a quorum.

It was unanimously resolved :

" That the draft deed prepared by the company's solicitors  
" and laid before the meeting, whereby the company pledges,  
" hypothecates and transfers all its property, moveable and  
" immoveable, present or future, contracts, franchises, tolls  
" and income, to and in favour of the Royal Trust Company  
" as trustee for the holders of bonds or debentures issued or  
" to be issued by the company to an amount not exceeding  
" in the aggregate fifty per centum (50%) of the amount of  
" the paid up capital stock of the company, be and the same  
" is hereby approved ; and that the president or vice-presi-  
" dent of the company and the secretary be and they are  
" hereby authorized to sign and execute for and on behalf  
" of the company and to affix the company's corporate seal

“ to a deed in notarial form substantially in the form set forth  
“ in said draft deed.”

Certified a true copy.

[Seal]            (Signed)   PATRICK DUBEE, *Secretary*.

This is a certified copy of the resolution of the directors of The Montreal Street Railway Company, mentioned in and annexed to the deed of conveyance in trust by the said company to The Royal Trust Company, executed before the undersigned notary, on this twenty-ninth day of February, one thousand nine hundred and eight.

*In test. veritatis :*

[Seal]	(Signed)	MONTREAL STREET RAILWAY Co.,
	“	L. J. FORGET, <i>President</i> ,
	“	PATRICK DUBEE, <i>Secretary</i> ,
[Seal]	“	THE ROYAL TRUST COMPANY,
	“	A. MACNIDER,
	“	<i>Member Executive Committee</i> ,
	“	H. ROBERTSON, <i>Manager</i> ,
	“	J. A. CAMERON, <i>N. P.</i>

A true copy.

J. A. CAMERON, N. P.

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## CHAP. 111

An Act to amend the act incorporating “ The Suburban  
Tramway and Power Company ”

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS “ The Suburban Tramway and Power Company ” has by its petition presented that it was incorporated by the act 4 Edward VII, chapter 77, and has prayed that the said act be amended in the manner hereinafter mentioned; and

Whereas, it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :



1. The following section is added after section 9 of the act 4 Ed. VII, c. 77, art. added after s. 9.  
4 Edward VII, chapter 77 :

“ 9a The company may from time to time increase its capital-stock for the purposes of its business, on the affirmative vote of the majority of the shareholders present at a meeting specially called for that purpose upon a notice given in accordance with the provisions of paragraph 19 of article 5132 of the Revised Statutes. ”

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 112

An Act to amend the charter of the Longueuil Tramways Company

[Assented to 14th April, 1908]

**W**HEREAS, the Longueuil Tramways Company, has by Preamble. its petition, prayed for the passing of an act to amend its charter, the act 5 Edward VII, chapter 61, and it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Notwithstanding paragraph 3 of article 5176 of the Revised Statutes, the delay for beginning to build the railway, shall commence to run only from the sanction of this act. Date to begin railway extended.

2. The company shall not be entitled to the benefit of this act unless it shall, within eighteen months from the date of the sanction thereof, have forwarded to the Lieutenant-Governor in Council satisfactory evidence that it has secured an entrance for its railway into the city of Montreal, or the town of Maisonneuve, by way of Victoria Bridge, or otherwise, and of its intention to forthwith construct and thereafter continuously operate its railway, including those portions thereof across the river St. Lawrence and within the limits of the city of Montreal or the town of Maisonneuve, as the case may be. Proviso. Entrance into Montreal, &c.

3. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 113

An Act to amend the charter of *La Compagnie de Pouvoir Electrique, Québec*

[Assented to 25th April, 1908]

## Preamble

**W**HEREAS *La Compagnie de Pouvoir Electrique, Québec*, has, by its petition, represented that it is in its interest to amend its charter, the act 4 Edward VII, chapter 79, and whereas it is expedient to grant its prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

4 Ed. VII, c.  
79, s. added  
after s. 8.

Payment for  
property, &c.,  
by paid up  
shares, &c.

1. The following section is added after section 8 of the act 4 Edward VII, chapter 79 :

“ **8a.** The company has and has always had the right to pay for the properties it has acquired or may acquire by means of paid up and unassessable shares and it may, moreover, by a resolution of its board of directors, give, as bonuses to the purchasers of its bonds or debentures, paid up stock to such amount as it may deem proper.”

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 114

## An Act to incorporate The Saraguay Electric and Water Company

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS William Miller Ramsay, gentleman ; Hormisdas Laporte, merchant ; Gaspard deSerres, accountant ; Charles Brandeis, engineer, and Evariste Champagne, agent, all of the city of Montreal, have represented that they wish to be incorporated as a company under the name of The Saraguay Electric and Water Company, for the purpose of acquiring and developing the undertaking and business of the Saraguay Electric Light and Power Company incorporated by letters patent under the great seal of the Province of Quebec bearing date the tenth day of May, nineteen hundred and six ;

That the said last mentioned company has secured and is now filling contracts for the supply of light and power to a number of municipalities in the district of Montreal the whole

to the satisfaction of the councils and the inhabitants of the said municipalities;

That in order to enable the company whose incorporation is prayed for to effectively carry on and extend the undertaking and business intended to be acquired as aforesaid it is expedient and necessary that certain powers be granted to it and that certain contracts, agreements and by-laws, affecting operations of the said Saraguay Electric Light and Power Company be ratified and confirmed;

Whereas the petitioners have established the allegations of their petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec enacts as follows :

1. The said William Miller Ramsay, Hormisdas Laporte, <sup>Persons in-</sup> Gaspard deSerres, Charles Brandeis, and Evariste Champagne, <sup>corporated.</sup> and all others who may hereafter become shareholders of the company hereby incorporated are hereby constituted a corporation under the name of "The Saraguay Electric and Water Name. Company."

2. The head office of the company shall be in the city of <sup>Head office,</sup> Montreal, but the company may by by-law from, time to time, <sup>&c.</sup> change the location of its head office to any place in which it is authorized to carry on its business, but such change shall take place only after a notice thereof shall have been published in the *Quebec Official Gazette*.

3. The capital stock of the company shall be one million <sup>Capital</sup> dollars, but it may be increased from time to time with the <sup>stock, &c.</sup> sanction of a vote of not less than two-thirds in amount of the shareholders at a general meeting of the company duly called for the purpose, to any amount which may be considered requisite in order to the due carrying out of the objects of the company, provided such capital shall not exceed three million dollars.

4. The said William Miller Ramsay, Hormisdas Laporte, <sup>Provisional</sup> Gaspard deSerres, Charles Brandeis, and Evariste Champagne, <sup>directors.</sup> shall be the first or provisional directors of the company.

5. The company shall have power within the limits of the <sup>Powers.</sup> Island of Montreal, Ile Bizard, and the counties of Two Mountains, Laval and Terrebonne :

a. To carry on the business of an electric light company in all its branches, to manufacture, sell and distribute light, heat

and power produced by electricity, and to manufacture and deal in all kinds of electric apparatus.

b. To carry on the business of a water-works company in all its branches ;

c. To carry on any business which may seem capable of being profitably carried on in connection with any of the businesses aforesaid ;

d. To acquire and take over in whole or in part the undertaking and property of the Saraguay Electric Light, and Power Company, and of any other person, company or corporation carrying on any business which this company is authorized to carry on.

Placing of  
poles &c., for  
certain pur-  
poses.

6. For the purpose of transmitting, distributing or supplying electricity, light, heat, power, or water, as authorized by its charter, the company may after having previously obtained the consent of the municipal authorities or others having the control of the said roads or streets, which consent shall be expressed by by-law and on the terms and conditions set forth in such by-law in the case of a municipal corporation, lay and put up all the necessary poles, wires and pipes or other apparatus along or across public or private roads, streets and highways and underneath, across or above all water-courses, and, when necessary, it may lay or put up its wires, pipes, apparatus or poles in or underneath private property after having paid compensation for the damage so caused to the interested parties and the company may, with the same consent, lay its wires and pipes underground and, if it deem expedient, in as many squares, streets, highways, lanes and public places as may be necessary for supplying light, heat, motive power and water, provided the public shall in nowise be needlessly inconvenienced in the use of such streets, roads, highways or water-courses and that navigation be not interrupted ; provided also that the municipal council of any cities, towns, or incorporated villages or parishes or the board of directors of any other corporation having control of the road, shall, if it deem the same necessary, have the right to superintend and prescribe the manner in which such streets, roads or highways shall be opened for the erection of poles or the laying of wires and pipes underground, and provided also that the wires may be cut when necessary for the purpose of extinguishing fires, on the order of the officer in command of the fire-brigade, in which case the company shall not be entitled to any compensation for the loss of such wires, but shall not be responsible to its customers for any interruption or non-execution of its contracts.

Proviso.

Placing poles. 7. In the event of the company obtaining a franchise or

contract from any municipality for supplying it with electricity, &c., in certain other cases, light, heat, power or water, it may put up or lay its poles, wires, pipes or other apparatus in and along the roads, streets and highways, under, across or over the water-courses of all municipal or other corporations between the works or reservoir from which the company supplies electricity or water and any such municipality from which it may have obtained a franchise or contract as aforesaid ; such powers shall, in each case, be exercised by means of a single line or conduit for passage purposes only and such line or conduit shall be as straight as possible and may comprise as many wires and other apparatus as may be necessary and they shall be subject to local regulations and by-laws. Provided, the company agree first with the municipal corporation having control of the roads, or, on the refusal of such corporation to grant the necessary permission, the company obtain the authorization of the Lieutenant-Governor in Council upon such conditions as may be imposed.

**8.** The company may, when necessary, cut down or prune trees impeding its wires or electric currents subject to paying damages to the person entitled to receive the same. Cutting down, &c., certain trees, &c.

**9.** All works constructed by the company, and all apparatus and appliances connected therewith, shall be so made as not to endanger the public safety ; and such works and appliances shall, at all reasonable times, be subject to the inspection of the municipal authorities of the municipality within the bounds whereof they are situated. Works, &c., not to be dangerous, &c.

Reasonable notice of such inspection shall be previously given to the company. Notice of inspection.

**10.** In constructing any work, or in placing any plant or apparatus, the company shall take all proper care that the passage of any road, street, highway, square, lane or public place, so far as may be, shall be free and uninterrupted, and shall protect all such works and appliances by all reasonable and proper means, and shall replace the roads, streets, highways, squares, lanes and public places unto their original condition with due diligence, and shall repair any damage that may be caused thereto by reason of any such work or appliances done or put in by the company, and shall be responsible for any neglect in respect thereto. Streets, &c., to be, as far as possible unobstructed, &c. ,

**11.** Article 4668 of the Revised Statutes is amended, for the company, by adding the following paragraph thereto : R.S.Q., 4668, amended for company.

"6. The company may, however, issue fully paid up and unassessable stock, shares, bonds, or debentures in payment of all or any of the undertakings, properties moveable or immove- Issue of paid up stock.

able, rights, powers, franchises or contracts which it has authority to acquire, and also for all services for which it may be indebted."

Commission  
for certain  
services, &c.

**12.** The company may remunerate, by means of commission or otherwise, any person or company for services rendered or to be rendered in placing the company's bonds, shares, or other securities, in securing investments therein, or in aiding the formation or organisation of the company, or guaranteeing the payment of the company's bonds or the interest thereon.

R.S.Q., 4655,  
par. 1 and 2,  
replaced for  
company.

**13.** The first and second sections of article 4655 of the Revised Statutes as enacted by the act 2 Edward VII, chapter 30, section 1, is replaced for the company, by the following:

Borrowing.  
Bonds, &c.

**"4655.** If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the company represented at a general meeting duly called for considering the by-law, the directors may, from time to time, borrow money upon the credit of the company, and may issue bonds, debentures or other securities for any sums borrowed or to be borrowed and pledge or sell the same for such sums and at such prices as may be deemed expedient, but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each.

Transfer in  
trust &c., to  
secure bonds,  
&c.

To secure the payment of such bonds, debentures or other securities, the company may, before or after the issue thereof, transfer to one or more trustees the whole or such part of the assets or property of the company as may be deemed advisable, or may grant a mortgage or hypothec to one or more trustees in favor of the holders of such securities upon the whole or any part of the immoveable property of the company, mentioning the issue and the amount of the securities secured thereby, and such bonds, debentures or other securities, upon registration of such deed of trust, mortgage or hypothec in the office of the registration division in which the company's head office is situated, shall further be a charge upon the machinery, plant, franchises, rates, revenues and rents, rights and other assets of the company without prejudice to all other privileges already existing.

Not to apply  
to borrowing  
on notes, &c.

The limitations and restrictions contained in this article shall not apply to the borrowing of money by the company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the company."

Stoppage of  
supply in  
certain cases,  
&c.

**14.** If any person or incorporated company supplied by the company with electricity or other product, neglect to pay the rent, rate or charge due to the company at the time fixed for the payment thereof, the company or any person acting under

its authority, on giving forty-eight hours' previous notice, may stop the supply to the person in arrears as aforesaid, by such means as the company or its officers may see fit to use ; and the company may recover the rent or charges due up to such time, together with the expense of cutting off the supply, in any competent court, notwithstanding any contract to furnish for a longer time.

**15.** In every case where the company may cut off and take away the supply of electricity or other product from any house, building or premises, the company, its agents and workmen, on giving forty-eight hours' previous notice to the person in charge or to the occupant, may enter the house, building or premises, between the hours of nine o'clock in the forenoon and six o'clock in the afternoon, making as little disturbance as possible, and may remove and take away any wires, pipes, meters, lamps, fittings, and other appliances which are the property of the company ; and any servant of the company duly authorized, may, between the hours aforesaid, enter into any house or premises in which electricity or other product has been taken from the company for the purpose of repairing or examining any such wires, pipes, lamps, or other appliances ; and if any person refuse, without reasonable cause, to permit the servants and officers of the company to enter and perform such acts, the person so refusing shall incur a penalty, in favor of the company, for every such offence not exceeding ten dollars, and a further penalty of four dollars for every day during which such refusal or obstruction may continue, and in addition shall be responsible to the company for all actual damage suffered by reason of such refusal.

Entry in buildings to remove wires, &c.  
Penalty for refusal of entry.

**16.** The wires, pipes, lamps, meters, motors, and other appliances and apparatus of any kind of the company shall not be subject to or liable for rent or any other privilege, nor liable to be seized or attached in any way by the possessor or owner of the premises wherever the same may be, nor be liable in any way to any person for the debt of any other person to whom or for whose use or for the use of whose household or building the same may be supplied by the company, notwithstanding the actual or apparent possession thereof by such person.

Wires, &c., not liable to seizure, &c.

**17.** Any municipal corporation may aid the company by giving or lending it money or debentures or guaranteeing by endorsement or otherwise, any sum of money borrowed by it, subject in all cases to such approval as may be required for the aiding of public works situated in whole or in part within the municipality or in its vicinity, and provided such muni-

Aid from municipal corporations.

cipal corporation in so doing does not exceed its general power of borrowing or incurring debt or aiding an enterprise or works of any kind.

Sale of franchises in certain cases.

**18.** The company may sell or transfer to any company acquiring or which may have acquired any part of its business or undertaking or having powers of a like nature to those hereby conferred the whole or any part of the franchises, rights and powers by this act conferred, and payment may be made therefor in cash or the shares, bonds or other securities of such company, and such company may thereafter exercise such rights, powers and franchises in the same manner as if they had been directly conferred on it by act of this Legislature.

Certain contracts ratified.

**19.** The contracts set out in the schedule to this act, to wit :

1. Between the town of St. Laurent and François Dufresne, junior, dated 7th November, 1905, before C. S. Tassé, N. P.

2. Between the town of St. Laurent and the company, dated 26th September, 1907, H. Gohier, N. P. The said two contracts as corrected by deed passed before H. Gohier, N. P., on the 30th March, 1908.

3. Between the village of Bordeaux and the Cartierville Electric Light and Power Company, dated 22nd March, 1906, C. Paquet, N. P.

4. Between the village of Cartierville and the company, dated 9th October, 1906, H. Gohier, N. P.

5. Between the village of Cartierville and the company, dated 31st December, 1906, H. Gohier, N. P.

6. Between the village of Ahuntsic and the company, dated 3rd December, 1906, J. C. Ogden, N. P.

7. Between the town of Notre Dame de Grace and the company, dated 14th May, 1907, E. R. Decary, N. P.

8. Between the village of Sault au Recollet, and the company, dated 19th November, 1907, H. Gohier, N. P.;

Are hereby ratified and confirmed according to their several terms, and the franchises therein and thereby granted are hereby declared to be exclusive in the cases in which the municipal corporations have so declared them, notwithstanding any want of power in such corporations.

Certain by-law ratified.

**20.** By-law No. 6 of the village of St. Jean Baptiste de la Pointe-aux-Trembles set out in the schedule hereto, is hereby ratified and confirmed.

Proviso

Nothing in the two preceding sections shall be interpreted as giving to the municipalities therein mentioned the right to delegate any powers of expropriation which they could not otherwise delegate.



**21.** The trust deed executed on the 30th November, 1907, before H. Gohier, N. P., set out in the schedule to this act, and the debentures or securities issued or to be issued thereunder, and the guarantee thereof by the corporation of the village of Cartierville, and its endorsation of such debentures are hereby confirmed and declared to be valid and effectual for all intents and purposes. Certain trust deed ratified.

**22.** Nothing in this act contained shall be interpreted as affecting or repealing any powers or privileges specially granted by statute or contract to any person, corporation or company, except as regards the right of passage as provided by section 7 of this act, in the exercise of which right the company shall construct and operate its line in such a way as not to endanger and to interfere as little as possible with the operations of any such person, corporation or company theretofore exercising a franchise under over or across any of the roads, streets, highways, public places or watercourses used for such right of passage; and the company shall furthermore be responsible for all damage resulting to such person, company or corporation theretofore exercising a franchise as aforesaid, for all damages resulting from the exercise of such right, nor except as regard the said right of passage, shall anything in this act contained be interpreted as giving the company the right in the exercise of its powers to infringe any by-law of the municipalities interested, nor to exercise the rights, privileges and franchises conferred by this act in the streets, squares, parks, public places or municipal properties of the said municipalities without previously obtaining their consent expressed by by-law of the council. By-laws of municipalities not affected except in certain cases, &c.

**23.** This act shall come into force on the day of its sanction. Coming into force.

## SCHEDULE I.

In the year nineteen hundred and five on the seventh of November.

BEFORE CHARLES STANISLAS TASSÉ, Esquire, the undersigned notary, residing and practising in the town of St. Laurent, in the district of Montreal.

CAME AND APPEARED :

THE CORPORATION OF THE TOWN OF ST. LAURENT, a body politic and corporate, having its place of business in the

town of St. Laurent, in the district of Montreal, and herein represented by PHILEMON COUSINEAU, esquire, mayor of the said town of St. Laurent thereunto authorized by the by-law hereinafter mentioned,

*Of the one part.*

AND

FRANCOIS DUFRESNE, junior, contractor, of the town of St. Laurent, in the district of Montreal,

*Of the other part ;*

Who have declared as follows, to wit :

That the town of St. Laurent at a special session of its council, held on the eighteenth of September, 1905, adopted the following by-law, to wit :

Province of Quebec,	}	TOWN OF ST. LAURENT.
District of Montreal.		

At a special session of the municipal council of the town of St. Laurent, held on the eighteenth of September, 1905, at the usual place, hour and day, under the presidency of the mayor, Philémon Cousineau, at which were present the following aldermen : Messrs. F. X. Lecavalier, R. Ducharme, Ephrem Gohier, N. Charbonneau, D. A. Millar, Eug. Barthelette, the following by-law, bearing the number 22 of by-laws of the said council was adopted on motion of alderman R. Ducharme, seconded by alderman Ephrem Gohier.

Whereas a proposition was made to the council by Mr. François Dufresne, junior, contractor of the town of St. Laurent on the tenth of July, 1905, in writing and such proposition contains in substance, the following provisions :

1. To pump all the water the town of St. Laurent may need for any purpose whatsoever, with steam-engines.

2. To erect at his expense a building sixty feet by forty on the property of the corporation at Cartierville.

3. To instal at his own cost in such building a steam-engine of seventy-five horse power, and boiler of sufficient capacity to supply steam for such engines or turbines.

4. The right to convey to Cartierville in the parish of St. Laurent, the gasoline engine now in the town of St. Laurent, and to keep such engine constantly in good order at his expense.

5. To instal at its expense a dynamo of one thousand lights, with alternating current.

6. To supply for lighting the streets as many lamps as the council of the town of St. Laurent may deem proper, at the rate of ten dollars per annum per lamp of sixteen candle power.

7. To also furnish electric light for private houses at six dollars per light.

Whereas it is in the interest of such municipality to make a contract with the said François Dufresne, junior, for the purpose of carrying out the propositions above set forth.

It is further resolved as follows, to wit :

1. The said François Dufresne, junior, his successors or assigns shall build on the land now owned by the corporation of the said town of St. Laurent, situate at Cartierville, bearing the number twenty-four of the official plan and book of reference at such place on the said lot of land as shall be accepted by the engineer of the corporation and the engineer of the said François Dufresne, junior, a building sixty feet by forty feet of proportionate height, of good and solid material and of suitable appearance.

2. Instal in such building a steam boiler and steam-engine of at least seventy-five horse power.

3. The said François Dufresne, junior, shall at his own expense take the present installation for the intake of water in the Rivière des Prairies, which installation and intake of water are acknowledged to be satisfactory by the corporation of the town of St. Laurent, at the place where the said building and the pumping station of the town of St. Laurent now stand and connect such intake of water and such pipes with the aforesaid machinery, the whole at the cost of the said François Dufresne.

In the event of the pump or other machinery now in use not being deemed satisfactory by the engineer of the said François Dufresne, junior, the latter may change them for others considered more satisfactory. Nevertheless, the value of such machinery shall be established by experts and credit therefor shall be given to the corporation in the case of re-purchase.

4. A lease between the corporation of the town of St. Laurent and the said François Dufresne, junior, shall be made before a notary for the land now belonging to the town of St. Laurent; the said François Dufresne, junior shall occupy such land only as lessee; nevertheless, the corporation shall not charge the said François Dufresne, junior, more than one dollar per annum as rent.

5. The said François Dufresne, junior, his heirs and successors shall by means of the said engine and the said ma-

chinery pump into the present pipes of the said corporation or any other pipes that may be added thereto, all the water required for the consumption of the town of St. Laurent and its inhabitants, both for domestic purposes, for watering the streets and for public and private use, and the said François Dufresne, junior, his successors or assigns, shall be bound to keep constantly full the present reservoir of the said corporation of the town of St. Laurent, even if the said corporation should deem it advisable to raise the same to twenty feet, or any other reservoir that might be constructed to replace such reservoir and situate in the said town of St. Laurent; such water to be good drinking water, taken from the Rivière des Prairies at the present place of the intake of water in the parish of St. Laurent.

6. The said François Dufresne, junior, his successors or assigns, shall, at their own cost and expense maintain everything in connection with the water intake at Cartierville, and the pumping of water into the pipes of the town of St. Laurent, and shall bear the cost of all expenses, labor, engineers, machinery in connection with such pumping station at Cartierville and such water intake, and under such head shall have no recourse against the corporation of the town of St. Laurent through any cause whatsoever.

7. The said François Dufresne, junior, shall also instal at Cartierville, in the building above mentioned and at his own cost, the electric machinery and dynamos in such manner as to supply the town of St. Laurent and its inhabitants with a quantity of at least one thousand lights of thirty-two candle-power, with alternating current. Everything relating to the installation at Cartierville and over the distance between Cartierville and the town of St. Laurent and in the town of St. Laurent, of such electric light system, as well as wires, poles, and electric lamps, shall be at the cost of the said François Dufresne, junior, his successors and assigns and shall be kept in good order and condition at their expense.

8. The said François Dufresne, junior, shall instal in the town of St. Laurent at such places as may be indicated by the council of the said town, fifty electric lamps of sixteen candle power or an equivalent number of lights of thirty-two candle power at the choice of the council, or any additional number of electric lamps required by the council upon giving to the said François Dufresne, junior, a notice of eight days to put up additional lamps.

9. The light shall be supplied for lighting the streets and private houses by the said Electric Light Company, during the period of darkness counting from sunset to sunrise; this shall comprise the whole period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

10. It is further agreed and understood that the said François Dufresne, junior, his successors and assigns shall supply free of charge to the corporation of the town of St. Laurent all the electric current necessary for thawing out the hydrants of the waterworks of the town of St. Laurent on the following conditions :

a. The power shall be supplied only during the hours when the machines are working in carrying out the present contract and the corporation shall give at least three hours notice except in case of fire.

b. All apparatus necessary for thawing shall be supplied and kept in order by the corporation; such machine shall be accepted by the company's engineer ;

c. The current required for such purpose shall be taken at the place indicated by the engineer of the said François Dufresne, junior, and the connection and disconnection shall be effected in the same manner;

d. The corporation shall supply all necessary assistance to the said François Dufresne, junior, and further pay thirty-five cents per hour to the employees of the said François Dufresne, junior;

e. The said François Dufresne, junior, assumes no responsibility as regards accidents in this connection during such work of thawing out;

f. The said François Dufresne, junior, undertakes to supply power without making any charges therefor other than those mentioned below, in the streets only where electric poles and wires are put up.

11. The said François Dufresne, junior, shall likewise furnish to the residents of the town of St. Laurent, applying therefor, electric light, at a rate not exceeding six dollars per annum per light of sixteen candle power, to burn constantly during the hours of darkness every day or at a rate calculated according to meter and based on the price now in force in the city of Montreal, but which may be less according to arrangements which the said François Dufresne, junior, his successors and assigns may make with such residents.

12. The said François Dufresne, junior, his successors and assigns shall not charge a higher tariff than the following, to wit :

#### TARIFF FOR ELECTRIC LIGHT

##### *Street lighting*

Sixteen candle power lamp, per annum.....	\$10.00
Thirty-two candle power lamp, per annum.....	20.00

To be maintained at the charge of the company from sun-set to sun-rise.

### *Private lights*

For every sixteen candle power lamp, three-quarters of a cent per ampere hour, or fifty watt-hours, plus twenty-five cents per month for the meter, with the right to purchase such meter. No meter shall be supplied unless the consumption shall be at least one dollar per month.

Discount of ten per cent on each month's account under a yearly contract.

Discount of twenty-five per cent on five year contract.

### *Current rates*

Fifty cents per lamp of sixteen candle power per month.

To be maintained at the charge of private individuals; the current to be taken to the place where it enters the house.

13. The town of St. Laurent shall pay to the said François Dufresne, junior, an annual sum of two thousand dollars, payable every three months, the first payment to begin three months after the said François Dufresne, junior, his successors or assigns shall have commenced the above operations for any compensation or damages resulting from the obligation hereinabove set forth upon the said François Dufresne, junior, to pump the water for the town of St. Laurent. Nevertheless, when the annual consumption of the town of St. Laurent shall exceed forty million gallons, it shall pay for pumping any additional quantity of water at the rate of five cents per thousand gallons.

14. The corporation of the town of St. Laurent shall further pay to the said François Dufresne, junior, his successors or assigns for lighting the said municipality for fifty lamps above mentioned, the sum of ten dollars per lamp, say the sum of five hundred dollars, or if the town of St. Laurent choose thirty-two candle power lamps, the rate shall be twenty dollars per lamp of thirty-two candle power, also payable every three months at the same dates and on the same conditions as the sum of two thousand dollars above mentioned, and if the town of St. Laurent requires an additional number of lights, it shall pay to the said François Dufresne, junior, an additional sum of ten dollars per light for sixteen candle power lamps or of twenty dollars per lamp of thirty-two candle power.

15. The said François Dufresne, junior, shall also have the right to supply all water or electric light with his installation at Cartierville, to municipalities or individuals other than

the town of St. Laurent or the ratepayers of the town of St. Laurent, but without using the present waterworks of the said town of St. Laurent, which shall be the exclusive property of the latter.

16. It is thoroughly understood and agreed that the town of St. Laurent shall retain the control and administration of its present waterworks, that the revenues of such waterworks shall belong to the corporation of the said town of St. Laurent, which shall be free to utilize such system as it may think proper, to charge the rates fixed by law and the by-laws; that in a word, the town of St. Laurent shall have no other obligations towards the said François Dufresne, junior, his successors or assigns than those above mentioned: to pay him the sum of two thousand dollars per annum for pumping the water and five hundred dollars for electric light. And the said François Dufresne, junior, assumes no other obligation than that above mentioned, namely: to pump the water and supply the light and thaw out hydrants. All other works of the waterworks, shall be done at the expense of the said corporation.

17. The town of St. Laurent hereby grants the said François Dufresne, junior, his successors and assigns, exemption from taxation on all property, machinery or poles he may own under the present by-law and the exclusive privilege for such electric light for a period not exceeding twenty-five years; but the said privilege is granted by the town of St. Laurent only in so far as it is in its power to do so; and the said town of St. Laurent in nowise guarantees the existence or validity of such privilege; all that the town of St. Laurent binds itself to do is to not grant to other persons than the said François Dufresne, junior, his successors or assigns, the rights it grants him by the present by-law.

18. After each period of five years beginning from the day when the said François Dufresne, junior, his successors or assigns shall carry out the present by-law, the corporation of the town of St. Laurent shall have the right to repurchase from the said François Dufresne, junior, his successors or assigns the whole of their installation at Cartierville and everything connected therewith, both for pumping the water and for electric lighting, on condition that it shall pay to the said François Dufresne, junior, his successors or assigns the value of such installation, buildings, machinery, electric light system, such value to be determined by three arbitrators, one to be appointed by the said François Dufresne, junior, his successors or assigns and the other by the corporation of the town of St. Laurent, and the third by the other two arbitrators, with an additional twenty per cent over and above such total value; and upon payment of such sum determined by such

arbitrators and twenty per cent in addition, the said François Dufresne, junior, his successors or assigns shall transfer to the corporation of the town of St. Laurent the ownership and possession of everything above mentioned ; the arbitrators' award establishing the cost of such installation, machinery, buildings and electric light system shall be final. The corporation of the town of St. Laurent shall notify the said François Dufresne, junior, at least six months before the expiration of each term of five years, in writing, of its intention to effect such re-purchase and shall, at the same time that it shall give notice, appoint its arbitrators ; the said François Dufresne, junior, his successors or assigns shall appoint their arbitrator within a delay of fifteen days ; the two such arbitrators shall appoint a third within an additional delay of fifteen days, and the three arbitrators shall give their award before the expiration of six months previous to the expiration of the five years above mentioned. Such right of re-purchase in favor of the corporation may be limited to the transmission line used for lighting the town of St. Laurent as well as to the buildings and machinery installed by the said François Dufresne, junior, his successors or assigns at the Cartierville pumping station, the said corporation not being bound to purchase from the said François Dufresne, junior, his other transmission lines of electric power outside of those above mentioned ; and in such case the said corporation may sell to the said François Dufresne, junior, the whole of the necessary power so that he may operate the balance of the said system remaining in his hands, both for electric lighting and other purposes.

19. A contract shall be signed by the mayor and the said François Dufresne, junior, to carry out the present by-law and, as soon as such contract shall be signed, the said François Dufresne, junior, shall have a delay of six months for the execution of such contract, that is to say : that within the six months following the signing of the contract to be entered into, the said François Dufresne, junior, his successors or assigns, shall instal and operate the steam pump system and the production of electricity above mentioned ; in default of their doing so within the said delay of six months, the said François Dufresne, junior, his successors or assigns, shall incur a penalty of ten dollars a day for each day's delay or if they neglect to put such system in operation in a perfect manner within the delay of six months, such contract shall be null and void, and all the work of installation performed and effected upon the property of the corporation of Cartierville, shall become its absolute property, and shall be retained and kept by it as compensation for damages suffered without any reimbursement on the part of the said corporation to the said



François Dufresne, junior, his successors or assigns. Nevertheless, as the present by-law shall come into force only in the autumn of nineteen hundred and five (1905), the delay of six months above mentioned shall commence to run, only from the first of January, nineteen hundred and six.

20. During the installation of the machinery, the water service shall not be interrupted and the said François Dufresne, junior, his successors or assigns shall be responsible for damages resulting from such interruption, if it be occasioned by their fault, act or negligence.

21. The corporation of the town of St. Laurent shall have the right to appoint an engineer or other competent person to superintend the installation of the steam or electric machinery above mentioned at the expense of the corporation and if the council, on a report of such engineer, condemns or disapproves of such installation or of any machinery whatsoever, the said François Dufresne, junior, shall remedy the same at his cost and expense, and comply in that respect with the decision of the council.

22. The council of the town of St. Laurent shall also have the right, during the existence of the present contract, to have the whole installation above mentioned inspected at its own cost, whenever it may deem expedient, and if anything should be defective or in bad order in such installation, the council shall have the right to call the attention of the said François Dufresne, junior, his successors or assigns to the same and they shall remedy the defects so pointed out within a reasonable delay.

23. The corporation of the town of St. Laurent shall incur no responsibility in connection with such installation, and all disbursements or damages or indemnities resulting from accidents shall be paid by the said François Dufresne, junior, his successors or assigns.

24. The said François Dufresne, junior, shall at the time of the passing of the present by-law and as security for the execution of the present contract and each and every the clauses of the said by-law, deposit in the hands of the corporation of the town of St. Laurent, to its order, an accepted cheque to the amount of five thousand dollars which cheque shall be retained by the said corporation so long as the said François Dufresne, junior, shall not have begun to pump water and supply electric light to the said town of St. Laurent under the said contract, and in the event of the said François Dufresne, junior, neglecting or refusing for any reason whatsoever to execute the said contract, the corporation of the town of St. Laurent shall have the right to retain and keep from and out of the amount of the said cheque the damages which shall then and there be determined by three arbitrators,

one appointed by the said corporation, one by the said François Dufresne, junior, and the other by the two others in accordance with the formalities of the Code of Civil Procedure; the award of such arbitrators both as regards form and substance, shall be final.

The present by-law shall be published according to law and, as aforesaid, the mayor is hereby authorized to sign a contract to put such by-law into execution with the said François Dufresne, junior, as soon as such by-law shall be in force.

Adopted.

(Signed) PHIL. COUSINEAU, *mayor*,

" C. S. TASSE, *secretary-treasurer*.

That the said by-law was published according to law and is now in force.

In consequence the said contracting parties above mentioned hereby declare that they have had cognizance of each and every the clauses of the above by-law; they declare that they accept the same in its form and tenor and declare that each one of them pledges himself to fulfil each and every the clauses thereof, in accordance with the said by-law and to follow the said by-law in its form and tenor under penalty of all costs, and damages,

Done and passed at St. Laurent, in the district of Montreal, in the office of the undersigned notary on the day and in the month and year above written, and the parties have signed these presents duly read under the number eighteen hundred and forty.

(Signed) PHIL. COUSINEAU, *mayor*,

" FRANÇOIS DUFRESNE, junior

" C. S. TASSÉ, N. P.

True copy of the original remaining of record in the office of the undersigned notary

C. S. TASSÉ, N. P.

## SCHEDULE II

In the year one thousand nine hundred and seven, on the twenty-sixth of September.

BEFORE M<sup>RE</sup> HERCULE GOHIER, the undersigned notary public, residing in the town of St. Laurent, in the county of Jacques-Cartier and practising in the city and district of Montreal in the Province of Quebec.

CAME AND APPEARED :

THE CORPORATION OF THE TOWN OF ST. LAURENT, a body politic and corporate, having its principal place of business at the office of the secretary-treasurer of the said corporation in the said town of St. Laurent, acting and represented herein by Philémon Cousineau, esquire, advocate and mayor of the town of St. Laurent, and Charles Stanislas Tassé, esquire, notary and secretary-treasurer of the said town of St. Laurent, both residing therein and hereunto duly authorized by and in virtue of the by-law, bearing the number twenty-five of the by-laws of the said council of the said corporation, adopted on motion of alderman H. Gohier, seconded by alderman F. X. Lecavalier, an extract wherefrom, certified by the secretary-treasurer and signed by the parties and notary *ne varietur*, is annexed to the original of these presents,

*Parties of the first part .*

AND

THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY, a body politic and corporate, having its head office in the city of Montreal and herein represented by Mr. Evariste Champagne, insurance broker of Montreal and manager of the said company, hereunto authorized by and in virtue of a resolution of the board of directors of the said company, dated the twelfth of September, one thousand nine hundred and six, a copy whereof duly certified by the secretary and signed and initialed by the parties and notary *ne varietur* remains annexed to the original of these presents.

*Parties of the second part .*

Which said parties of the first and second part have covenanted together as follows, to wit :

That on the eighteenth of September, one thousand nine

quantity of at least one thousand lights of thirty-two candle power, with alternating current. Everything relating to the installation both at Cartierville and on the distance between Cartierville and the town of St. Laurent and in the town of St. Laurent, of such electric light system such as wires, poles, and electric lamps, shall be at the cost of the said François Dufresne, junior, his successors and assigns and shall be kept in good order and condition at their expense.

8. The said François Dufresne, junior, shall instal in the town of St. Laurent at such places as may be indicated by the council of the said town, fifty electric lamps of sixteen candle-power or an equivalent number of lights of thirty-two candle-power at the choice of the council or any additional number of electric lamps required by the council upon giving to the said François Dufresne, junior, a notice of eight days to put up such additional lamps.

9. The light shall be supplied for lighting the streets and private houses by the said electric light company during the period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

10. It is farther agreed and understood that the said François Dufresne, junior, his successors and assigns shall supply free of charge to the corporation of the town of St. Laurent all the electric current necessary for thawing out the hydrants of the waterworks of the town of St. Laurent ; provided that such thawing shall be done during the period of the day when the electric current is to be supplied by the said François Dufresne, junior, his successors or assigns, that is to say, that the said François Dufresne, junior, shall not be obliged to furnish such electric current without remuneration outside of the hours above mentioned during which the said François Dufresne, junior, his successors or assigns shall supply light to the said town of St. Laurent.

11. The said François Dufresne, junior, shall likewise furnish to the residents of the town of St. Laurent applying therefor, electric light at a rate not exceeding six dollars per annum per light of sixteen candle-power, to burn constantly during the hours of darkness every day, or at a rate calculated according to a meter and based on the price now charged in the city of Montreal but which may be less according to arrangements which the said François Dufresne, junior, his successors and assigns may make with such residents.

12. The said François Dufresne, junior, his successors and assigns shall not charge a higher tariff than the following, to wit :

*Tariff for electric light.—Street lighting*

Sixteen candle-power lamp, per annum.....\$10 00

Thirty-two candle-power lamp, per annum.... 20 00

To be maintained at the charge of the company from sunset to sunrise.

*Private lights*

For every sixteen candle-power lamp, three quarters of a cent per ampere hour, plus twenty-five cents per month for the meter, with the right to purchase such meter.

Discount of ten per cent on each month's account under a yearly contract.

Discount of twenty-five per cent on five year contracts.

*Current rates*

Fifty cents per lamp of sixteen candle-power per month.

To be maintained at the charge of private individuals ; the current to be taken to the place where it enters the house.

13. The town of St. Laurent shall pay to the said François Dufresne, junior, an annual sum of two thousand dollars, payable every three months, the first payment to begin three months after the said François Dufresne, junior, his successors or assigns shall have commenced the above operations, for any compensation or damages resulting from the obligation hereinabove set forth upon the said François Dufresne, junior, to pump the water for the town of St. Laurent.

14. The corporation of the town of St. Laurent shall further pay to the said François Dufresne, junior, his successors or assigns for lighting the said municipality for fifty lamps above mentioned, the sum of five hundred dollars, or if the town of St. Laurent chooses thirty-two candle-power lamps, the rate shall be twenty dollars per lamp of thirty-two candle-power, also payable every three months at the same dates, periods and on the same conditions as the sum of two thousand dollars above mentioned, and if the town of St. Laurent requires an additional number of lights, it shall pay to the said François Dufresne, junior, an additional sum of ten dollars per light for sixteen candle-power lamps or of twenty dollars per lamp of thirty-two candle-power.

15. The said François Dufresne, junior, shall also have the right to supply water or electric light with his installation at Cartierville, to municipalities or individuals other than the town of St. Laurent or to the ratepayers of the town of St. Laurent, but without using the present waterworks of the

said town of St. Laurent, which shall be the exclusive property of the latter.

16. It is thoroughly understood and agreed that the town of St. Laurent shall retain the control and administration of its present waterworks, that the revenues of such waterworks shall belong to the corporation of the said town of St. Laurent which shall be free to operate such system as it may think proper, to charge the rates fixed by the law and the by-laws ; that in a word the town of St. Laurent shall have no other liability towards the said François Dufresne, junior, his successors or assigns than those above mentioned, that is to say to pay him the sum of two thousand doallrs per annum for pumping the water and five hundred dollars for electric light.

17. The town of St. Laurent hereby grants the said François Dufresne, junior, his successors and assigns the exclusive privilege for such electric light for a period not exceeding twenty-five years, but the said privilege is granted by the town of St. Laurent only in so far as it is in its power to do so ; and the said town of St. Laurent in no wise guarantees the existence or validity of such privilege ; all that the town of St. Laurent binds itself to do is to not grant to other persons than the said François Dufresne, junior, his successors or assigns, the rights it grants him by the present by-law.

18. After each period of five years beginning from the day when the said François Dufresne, junior, his successors or assigns shall carry out the present by-law the corporation of the town of St. Laurent shall have the right to purchase from the said François Dufresne, junior, his successors or assigns the whole of their installation at Cartierville, and everything connected therewith, both for pumping the water and for electric lighting on condition that it shall pay to the said François Dufresne, junior, his successors or assigns the cost of such installation, buildings, machinery, and electric light system, such cost to be determined by three arbitrators : one to be appointed by the said François Dufresne, junior, his successors or assigns, one by the corporation of the town of St. Laurent and the third by the other two arbitrators, with an additional twenty per cent over and above such total cost ; and upon payment of such sum determined by such arbitrators and twenty per cent in addition, the said François Dufresne, junior, his successors or assigns shall transfer to the corporation of the town of St. Laurent the ownership and possession of everything above mentioned. The arbitrators' award establishing the cost of such installation, machinery, buildings and electric light system, shall be final. The corporation of the town of St. Laurent shall notify the said François Dufresne, junior, at least six months before the expiration of each term of five years, in writing

of its intention to effect such purchase and shall, at the same time that it shall give notice, appoint its arbitrators ; the said François Dufresne, junior, his successors or assigns shall appoint their arbitrator within a delay of fifteen days ; the two such arbitrators shall appoint a third within an additional delay of fifteen days, and the three arbitrators shall give their award before the expiration of six months previous to the expiration of the period of five years above mentioned.

19. A contract shall be signed by the mayor and secretary-treasurer and the said François Dufresne, junior, to carry out the present by-law and, as soon as such contract shall be signed, the said François Dufresne, junior, shall have a delay of six months for the execution of such contract, that is to say : that within the six months following the signing of the contract to be entered into, the said François Dufresne, junior, his successors or assigns, shall instal and operate the steam pump system and the production of electricity above mentioned ; in default of their doing so within the said delay of six months, the said François Dufresne, junior, his successors or assigns shall incur a penalty of ten dollars a day for each day's delay, and if they neglect to put such system in operation in a perfect manner within the delay of six months, such contract shall be null and void and all the work or installation performed and effected upon the property of the corporation of Cartierville, shall become its absolute property, shall be retained and kept by it as compensation for damages suffered, without any reimbursement on the part of the said corporation to the said François Dufresne, junior, his successors or assigns. Nevertheless, as the present by-law will come into force only late in the autumn of nineteen hundred and five, the delay of six months above mentioned shall commence to run only from the first of January, nineteen hundred and six.

20. During the installation of the machinery, the water service shall not be interrupted and the said François Dufresne, junior, his successors or assigns shall be responsible for damages resulting from such interruption, if it be occasioned by their fault, act or negligence.

21. The corporation of the town of St, Laurent shall have the right to appoint an engineer or other competent person to superintend the installation of the steam or electric machinery above mentioned at the expense of the corporation and if the council on a report of such engineer, condemns or disapproves of such installation or any machinery whatsoever, the said François Dufresne, junior, shall remedy the same at his cost and expense and comply in that respect with the decisions of the council.

22. The council of the town of St. Laurent shall also have

the right during the existence of the present contract to have the whole installation above mentioned inspected at its own cost, whenever it may deem expedient, and if anything should be defective or in bad order in such installation, the council shall have the right to call the attention of the said François Dufresne, junior, his successors or assigns to the same and they shall remedy within a reasonable delay the defects so pointed out.

23. The corporation of the town of St. Laurent shall incur no responsibility in connection with such installation, and all disbursements, damages resulting from accidents or indemnity shall be paid by the said François Dufresne, junior, his successors or assigns.

That, on the seventh May, one thousand nine hundred and seven, the municipal council of the party of the first part passed a by-law bearing the number twenty-five of the by-laws of the said municipality, stipulating as follows :

Whereas a contract was entered into in conformity with the said by-law between the corporation of the town of St. Laurent and Mr. François Dufresne, junior, for the execution thereof and such contract is now in course of execution ;

Whereas in virtue of a deed of the 18th September, 1905, C. E. Leclerc, notary, duly served on the corporation of the town of St. Laurent, the said François Dufresne, junior, assigned to Mr. Evariste Champagne, insurance broker, of the city of Montreal, all the rights coming to him under the above contract, dated the 7th November, 1905, before Tassé, notary, and under the lease in his favor by the said town of St. Laurent, before the same notary, under the number 1849 of his repertory ;

Whereas the said Evariste Champagne himself transferred his rights under the above deeds to the Saraguay Electric Light and Power Company, a body politic and corporate which consequently enters into the rights and obligations of the said Evariste Champagne.

And whereas during the month of September, 1906, the intake of the waterworks of the town of St. Laurent, at Cartierville whereof the latter had reserved the charge and control to itself, became defective and urgent and extensive works have become necessary ;

And whereas, with the view of settling the difficulty, the said Saraguay Electric Light and Power Company made the following proposal to the town of St. Laurent, contained in a letter of the 8th September, 1906, which reads as follows :



"To the mayor and aldermen  
of the town of St. Laurent,  
P. Q.

Gentlemen,

Referring to the conversation, we had the pleasure of having with you recently, respecting the intake of water at Cartierville, to secure perfect service in future, we propose the following arrangements :

The company will pay all the costs incurred to date and finish all the work to be done to put the present intake in proper order and it will be responsible for its proper working in the future. As compensation, the company wishes the corporation to give it a title of possession over the property leased to it for twenty-five years and the sum of \$500.00."

And whereas, at a session of the council of the town of St. Laurent, held on the 19th September, 1906, the following resolution was adopted :

"Alderman LeCavalier moved, seconded by alderman Ducharme, that the first part of the proposition made by Mr. Evariste Champagne, dated 8th September 1906, regarding the work to be done in connection with the intake of the water-works of this town, be accepted with the following modification :

1. The council shall pay within three years from this date, to the said Mr. E. Champagne, the sum of five hundred dollars with the interest at six per cent.

2. The said Mr. E. Champagne, shall be liable, as long as his contract with the town lasts, for the intake and pipe as far as the line of the public road.

3. The council shall continue to levy the tax from Mrs Widow Thauvette and others.

4. The existing contract between the said Mr. E. Champagne and this council shall continue to have effect between the parties and shall be modified and changed only in so far as it may be incompatible with the offer here accepted. *Carried.*"

And whereas, in order to carry out such agreement, the Saraguay Electric Light and Power Company, has performed all the work mentioned in the said contract and there has been a settlement of account between the town of St. Laurent and the said company ;

And whereas, it is expedient to pass a by-law for the purposes aforesaid ;

It is accordingly resolved, on motion of alderman H. Gohier, seconded by alderman F. X. LeCavalier :

1. That by-law No. 22, of this municipality and the contract between the corporation of the town of St. Laurent, and François Dufresne, junior, entered into before Tassé,

notary, on the 7th November last, (1905,) as well as the lease in favor of the said François Dufresne, by the said corporation, before the said notary and bearing the same date, shall be and are hereby amended as follows only :

a. The town of St. Laurent transfers and makes over, with all legal warranties to the Saraguay Electric Light and Power Company, a body politic and corporate, having its principal place of business in the city of Montreal, the following immovable, to wit :

A lot of land situate at Cartierville, fronting on the public road leading to Bordeaux and containing 43 feet in front, French measure, by the depth between the public road and the Rivière des Prairies and known and designated on the official plan and book of reference of the parish of St. Laurent, county of Jacques Cartier, as being a portion of lot No. 24, bounded in front by the public road, in rear by the Rivière des Prairies, on one side by another part of lot No. 24, belonging to Frederic Jauron, and the other side by J. C. Percival, with all the buildings thereon erected, as well as the water intake, wells, pipes in the river and underground, as far as the line of the public road ;

b. The town of St. Laurent shall further give the Saraguay Electric Light and Power Company a promissory note for the sum of five hundred dollars payable in three years from the 1st October, 1906, with interest at six per cent from that date;

c. The Saraguay Electric Light and Power Company shall pay all expenses whatsoever in connection with the intake of the waterworks of the town of St. Laurent, bear those already incurred, repay to the town of St. Laurent the expenses it may have incurred since the 4th September, 1906, take care of the said water intake and be responsible therefor in every respect and manner towards the town of St. Laurent from the extremity of the intake in the Rivière des Prairies to the public road in front of the property above described, so long as the contract between the town of St. Laurent and the company shall last.

d. The town of St. Laurent shall have the right to continue to collect the tax from Mrs Widow Thauvette, so long as she supplies herself from the waterworks pipe belonging to the town of St. Laurent.

e. A contract shall be entered into before a notary between the town of St. Laurent, represented by Mr. Philémon Cousineau, mayor, and Mr. C. S. Tassé, secretary-treasurer, who are hereby authorized to sign such contract, and the said Saraguay Electric Light and Power Company for the purpose of carrying out this by-law.

In consequence of all the above and in the execution of the by-laws above set forth, the party of the first part sells, as-

signs and transfers with all legal warranties to the party of the second part, thereof accepting, the immoveable hereinabove described for good and valid consideration received before this day, whereof quit, in order that the party of the second part may remain the absolute owner thereof in accordance with the by-laws of the party of the first part above set forth, subject to the rights of the party of the first part reserved by the latter in the by-law hereinabove firstly cited.

Whereof acte; done and passed at Montreal aforesaid, under the number one thousand seven hundred and five of the minutes of the undersigned notary.

And the parties have signed with us, the said notary, these presents duly read.

(Signed) PHIL. COUSINEAU, *mayor*,  
" C. S. TASSÉ, *sec.-treasurer*,  
" E. CHAMPAGNE,  
" H. GOHIER, N.P.

True copy of the original remaining of record in my office.

H. GOHIER, N. P.

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### SCHEDULE III

in the year nineteen hundred and six, on the twenty-second day of March,

Before CAMILLE PAQUET, the undersigned notary public, for the Province of Quebec, Canada, residing in the town of Maisonneuve, and practising there as well as in Montreal,

CAME AND APPEARED :

THE CORPORATION OF THE VILLAGE OF BORDEAUX, a body politic and corporate, having its principal place of business in the village of Bordeaux, acting and represented herein by Mr. Edmond Lussier, advocate, mayor of the said corporation and residing in the said village of Bordeaux, hereunto duly authorized by a resolution of the said corporation dated the sixth day of November last,

*Of the one part .*

AND

Mr. EVARISTE CHAMPAGNE, insurance agent, residing in Mont-

real and doing business therein alone under the name and style of The Cartierville Electric Light and Power Co., hereinafter called the company,

*Of the other part.*

Which parties have stipulated as follows, to wit :

1. The said company hereinabove designated has installed at Cartierville and operates at its own expense the electric machinery, dynamos, etc., in a word, all the plant required for the supplying light to the inhabitants of the said corporation and the corporation with all the light they may deem advisable to take.

2. Everything connected with the installation, both at Cartierville and on the distance between Cartierville to Bordeaux and in Bordeaux of such system of electric light, such as wires, poles, electric lamps, reflectors, etc., finally everything that may be necessary for supplying the light as aforesaid, shall be at the expense of the said company, its successors or assigns and shall be kept in good order and condition at its cost and expense, without the said corporation having anything to pay for any reason whatsoever.

3. The said company shall instal in the municipality of the village of Bordeaux at such place as may be indicated to it by the council of the said village, forty electric lamps of sixteen candle-power or an equivalent number of lamps of thirty-two candle-power at the choice of the said council or any additional number of electric lamps required by the council, by giving the said company eight days' notice to put up such additional lamps.

And, as the lamps become black by use after a certain time, no longer giving the same light, the company shall be obliged to renew them from time to time, whenever they become black and the inspector of the corporation of the village of Bordeaux considers that they no longer give proper light.

Each and every of such lamps shall be placed at the height of from twelve to fifteen feet and provided with reflectors called Regulation Reflector Types ; and shall be attached to the poles by iron rods of the required length, so that the lamp will give the greatest possible light, according to the opinion of the engineer of the corporation.

Each and every of such lamps shall receive a minimum force of one hundred and four volts, and if one or more of the said lamps be extinguished and remain extinguished owing to the breaking of the wire, or otherwise for one or more evenings, a discount in proportion to the period of time during which they shall remain so extinguished shall be allowed to the said corporation.

If the contracting company does not give good light and

does not carry out its contract according to its tenor and the corporation has reason to complain of the said company for any reason whatsoever, the corporation shall have the right to put an end to this contract by giving a written notice of three months to the said company.

6. The company shall replace the poles whenever necessary, as well as all the plant required for the working of the electric light.

7. The light shall be supplied for lighting the streets and private houses by the said Electric Light Company during the period of darkness counting from sunset to sunrise; this shall comprise the whole period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

8. The said company shall supply free of charge to the said corporation all the electric current necessary for thawing out the hydrants of the waterworks of the municipality of Bordeaux, on the following conditions:

a. The power shall be supplied only during the hours when the machines are working in carrying out the present contract and the corporation shall give at least three hours' notice, except in case of fire :

b. All apparatus necessary for thawing shall be supplied and kept in order by the corporation ; the machines shall be accepted by the company's engineer ;

c. The current required for such purpose shall be taken at the place indicated by the engineer of the company and the connection and disconnection shall be effected in the same manner ;

d. The corporation shall supply all necessary assistance to the said company, and further pay thirty-five cents per hour to the employees of the said company ;

e. The said company assumes no responsibility as regards accidents in this connection during such work of thawing out ;

f. The said company undertakes to supply power without other charges than those mentioned below in the streets only where electric poles and wires are placed.

9. The said company shall likewise furnish to the residents of the town of Bordeaux applying therefor, electric light at a rate not exceeding six dollars per annum per light of sixteen candle-power, to burn constantly during the hours of darkness every day or at a rate calculated according to meter and based on the price now in force in the city of Montreal, but which may be less according to arrangements which the said company may make with such residents.

Should the corporation, during the continuance of this contract, wish to have arc lamps of 1,200 candle-power, the com-

pany shall supply the same at a maximum price of \$90 per lamp for the first ten lamps, \$85.00 for the next ten lamps, \$80.00 for the next ten after the above twenty and \$75.00 for all lamps over thirty.

The corporation shall also have the right to substitute arc lamps for the sixteen thirty-two candle-power lights on giving written notice eight days beforehand, and this at the expense of the company.

The said company shall not charge a higher tariff than the following, to wit :

#### TARIFF FOR ELECTRIC LIGHT

##### STREET LIGHTING

Sixteen candle-power lamp, per annum..... \$10.00

Thirty-two candle-power lamp, per annum..... 20.00

To be maintained at the charge of the company from sunset to sunrise.

##### PRIVATE LIGHTS

For every sixteen candle-power lamp, three quarters of a cent per ampere hour, of fifty volts or fifty Watt-hours, plus twenty-five cents per month for the meter, with the right to purchase such meter. No meter shall be supplied unless the consumption shall be at least one dollar per month.

Discount of ten per cent on each month's account under a yearly contract.

Discount of twenty-five per cent for monthly accounts on three year contract.

Discount of thirty-five per cent on the account of each month in five years' contract.

Contracts for five years, to obtain such discount of thirty-five per cent, must be signed before the first of June next. But the company does not undertake to renew contracts at thirty-five per cent after such period of five years. But a discount of ten and twenty-five per cent shall be granted throughout the whole duration of such contract, namely, during twenty-five years :

##### CURRENT RATES

Fifty cents per lamp of sixteen candle-power per month.

To be maintained at the charge of private individuals ; the current to be taken to the place where it enters the house.

10. The said corporation shall pay to the said company for lighting the said municipality for forty lamps above mentioned, the sum of ten dollars per lamp, or if said corporation chooses thirty-two candle-power lamps, the rate shall be twenty dollars per lamp of thirty-two candle-power, payable every three

months the first payment to be made three months after the said company shall have commenced to operate the light and shall have supplied the same as agreed upon with the said corporation.

And if the said corporation at any time during the continuance of this contract requires an additional number of lights, it shall pay to the said company a sum of ten dollars per light for sixteen candle-power lamps or of twenty dollars per lamp of thirty-two candle-power.

11. The said company shall also have the right to supply electric light with its installation at Cartierville to the municipalities and ratepayers adjoining the municipality of Bordeaux and may place its wires on the poles which it shall use for lighting Bordeaux for the purpose of conveying the light to another municipality.

12. The said corporation shall have no other obligation towards the said company than those above mentioned to pay it a sum of ten dollars per lamp of sixteen candle-power and of twenty dollars per lamp of thirty-two candle-power.

13. The corporation hereby grants the said company exemption from taxation on the poles and all the plant it may have within the limits of the said municipality under the present contract and this during the whole duration of the present contract.

14. On the terms of the by-law on which the present contract is based, the exclusive privilege for such lighting is granted to the said company to the thirtieth of April nineteen hundred and thirty, but it is well understood that such privilege is granted by the corporation only in so far as it is in its power to do so, and the latter in no wise guarantees the right, existence or the validity of this privilege ; all that it does undertake to do is not to grant the privilege to any other company during that period.

The said corporation grants the said company the privilege mentioned in article 639 of the Municipal Code respecting the work to be done for supplying light to the inhabitants of the said municipality, without warranty but only in so far as it has the right to do so.

15. After each period of five years beginning from the signing of this contract, the said corporation shall have the right to repurchase from the said company or its representatives the whole of their electric light transmission system ; such as poles, electric lamps, etc., installed in the municipality on condition that it shall pay to the said company the intrinsic value of such installation, such value to be determined by three arbitrators : one to be appointed by the company, one by the corporation and the third by the other two arbitators, with an additional twenty per cent ; and upon payment of such sum determined by such

arbitrators, the said company shall transfer to the corporation the ownership and possession of everything above mentioned. The arbitrators' award shall be final.

The corporation shall notify the said company at least three months before the expiration of each term of five years, in writing, of its intention to effect such purchase and shall, at the same time that it shall give notice, appoint its arbitrators; the said company shall appoint its arbitrator within a delay of eight days from such notice, the two arbitrators chosen shall appoint a third within an additional delay of eight days, and the three arbitrators shall give their award as soon as possible.

In the event of such purchase by the corporation, the latter shall purchase the power of the company at the rate of eight cents per kilo-watt-hour, but the said company shall not have the right to sell, assign or transfer to the town of St. Laurent or any other municipal corporation this obligation of the corporation of the village of Bordeaux to purchase the power as aforesaid.

In the event of the sale by the company of its system to the town of St. Laurent or to any other corporation whatsoever, the corporation of the village of Bordeaux shall *ipso facto* be freed from such obligation.

As the company has installed its lighting system, it is not necessary to insert in the present contract clauses 16 and 18 of the said by-law.

17. The said corporation shall incur no responsibilities in consequence of the work done by the company for the installation of its electric light plant within the limits of the municipality; all disbursements, damages or indemnities resulting from accident shall be paid by the said company, the intention of the parties being that the corporation shall be held harmless by the said company of all responsibilities whatsoever and for anything whatsoever.

19. Should the corporation, at any time during the duration of the contract, decide to work the engines which may be in its possession either for pumping the water required for its water-works or for any other cause, the said company shall be obliged to furnish the necessary power for such purpose, at the rate of ten cents per kilo-watt-hour.

20. The privileges and obligations of the said company respecting these presents shall apply to its successors and representatives.

The present contract is based on by-law number five concerning the electric light of the former village of St. Joseph de Bordeaux, adopted by the council of the said village on the sixth November last and all the clauses set forth in the said



by-law shall be binding on the said company as well as on the said corporation, although not inserted herein.

WHEREOF ACT; done and passed at Montreal under the number four thousand five hundred and thirty-seven of the repertory of the undersigned notary.

And the parties have signed with us the said notary and in his presence, these presents duly read.

(Signed) E. LUSSIER, *Mayor*.

" THE CARTIERVILLE LIGHT & POWER CO.,  
*Per E. CHAMPAGNE.*

" C. PAQUET, N. P.

True copy of the original remaining of record in my office.

C. PAQUET, N. P.

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#### SCHEDULE IV

In the year nineteen hundred and six, the ninth of October.

BEFORE MR. HERCULE GOHIER, the undersigned notary public for the Province of Quebec, residing in the town of St. Laurent, in the county of Jacques-Cartier and practising in the city and district of Montreal, in the said Province.

#### CAME AND APPEARED :

THE CORPORATION OF THE MUNICIPALITY OF THE VILLAGE OF CARTIERVILLE, a body politic and corporate, having its principal place of business in the said village of Cartierville, herein acting and represented by Félix Plouffe, trader and mayor of the said village of Cartierville and hereunto duly authorized by by-law of the municipal council of the said corporation, dated the fourth of June 1906, an extract wherefrom duly signed by the secretary and signed and initialed by the parties and notary, *ne varietur*. remains annexed to these minutes.

*Party of the first part.*

AND

THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY, a body politic and corporate, having its head office in the city of Montreal, and herein represented by Mr. Evariste

Champagne, insurance inspector, of Montreal, and manager of the said company hereunto authorized by and in virtue of a resolution of the board of directors of the said company dated the seventh August, one thousand nine hundred and six, a copy whereof duly certified by the secretary of the said company and signed and initialed by the parties and notary, remains annexed to the original of these presents.

*Party of the second part .*

Which said parties of the first and second part have covenanted as follows:

Whereas the party of the second part has submitted certain proposals in writing concerning the right to erect poles and supply light to private houses in this municipality, the party of the first part, and to light the streets and property of the latter;

It is therefore resolved by by-law No. 4, passed on the fourth June last, 1906, by the municipal council, party of the first part, as follows :

The party of the second part shall :

1. Instal at Cartierville and operate, at its expense, electric machinery, dynamos, etc., in a word all the plant required for supplying the municipality of Cartierville and its inhabitants with all the light they may deem it advisable to take.

2. To provide at its own expense everything connected with such electric light system, such as wires, poles, electric lamps, reflectors, etc., etc., in a word all that is necessary for supplying such light, as aforesaid, and they shall be kept in good order and condition at their cost and expense without the said municipality of Cartierville having anything to pay for any reason whatsoever.

To remove at its expense any pole that might hereafter impede the corporation or any private individual and this on a written requisition of the council to that effect.

3. The party of the second part shall instal in the municipality of Cartierville, at such places as may be indicated to it by the council of the said village, the number of lamps of sixteen candle-power or of thirty-two candle-power required by the council, by giving the said party of the second part, eight days notice to put up such lamps.

And as the lamps become black by use after a certain time, no longer giving the same light, the party of the first part shall be obliged to renew them from time to time, whenever they become black and the inspector of the municipality of the village of Cartierville considers that they no longer give proper light.

Each and every of such lamps shall be placed at the height of from twelve to fifteen feet and provided with reflectors called "regulation reflector types ;" and shall be attached to the poles by iron rods of the required length, so that the lamp will give the greatest possible light, according to the opinion of the engineer of the municipality.

4. It is well understood that each and every of such lamps shall receive the minimum force of one hundred and ten volts, and if one or more of the said lamps be extinguished and remain extinguished owing to the breaking of the wire, or otherwise for one or more evenings, a discount in proportion to the period of time during which they shall remain so extinguished shall be allowed to the said municipality.

5. It is well understood that if the party of the second part does not give good light and does not carry out its contract according to its tenor and the municipality has reason to complain of the said company for any reason whatsoever, the municipality of Cartierville shall have the right to put an end to the contract by giving a written notice of three months to the said party of the second part.

6. It is well understood that the said municipality party of the second part shall replace the poles whenever necessary as well as all the plant required for the working of the electric light.

7. The light shall be supplied for lighting the streets and private houses by the said party of the second part, during the period of darkness counting from sunset to sunrise ; this shall comprise the whole period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

8. Supply to the residents of the municipality of Cartierville, applying therefor, electric light, at a rate not exceeding six dollars per annum per light of sixteen candle-power, to burn constantly during the hours of darkness every day or at a rate calculated according to meter as hereinafter set forth.

Should the corporation, during the continuance of this contract, wish to have arc lamps of 1200 candle-power, the company shall supply the same at a maximum price per annum of \$90.00 per lamp for the first ten lamps, \$85.00 for the next ten lamps, \$80.00 for the next ten after the above twenty, and \$75.00 for all lamps over thirty.

The municipality shall also have the right to substitute arc lamps for the sixteen and thirty-two candle-power lights on giving written notice eight days beforehand, and this at the expense of the company.

The said party of the second part, shall not charge a higher tariff than the following, to wit :

*Tariff for electric light.—Street lighting*

Sixteen candle-power per lamp per annum . . .	\$10 00
Thirty-two candle-power lamp per annum . . . .	20 00

To be maintained at the charge of the party of the second part from sunset to sunrise. When the corporation shall have signed a contract for thirty lamps it shall be entitled to three lamps free of charge

*Private lights*

For every sixteen candle-power lamp, three quarters of a cent per ampere hour of fifty volts, or fifty watt hours, plus twenty-five cents per month for the meter, with the right to purchase such meter.

Discount of ten per cent on each month's account under a yearly contract.

Discount of twenty-five per cent on each month's account on a three year's contract.

Discount of 35% on monthly accounts, under a contract for 8 years, signed between now and the month of October.

*Current rates*

Fifty cents per lamp of sixteen candle-power per month.

To be maintained at the charge of private individuals ; the current to be taken to the place where it enters the house, but the company shall replace free of charge sixteen candle-power lamps that are unfit for use.

9. The party of the second part shall also have the right to supply electric light with its installation at Cartierville to the municipalities and ratepayers adjoining the municipality of Cartierville, and may place its wires on the poles which it shall use for lighting Cartierville for the purpose of conveying the light to another municipality.

10. It is well understood that the said municipality shall have no other obligations towards the said party of the second part than that above mentioned of paying the sum of ten dollars per lamp of sixteen candle-power and twenty dollars per lamp of thirty-two candle-power per annum while it supplies the light.

11. The municipality hereby grants to the said party of the second part exemption from taxes on poles and buildings and all the plant it may possess within the limits thereof under the present contract and this throughout the whole duration of the present contract.

12. This contract is made for fifteen years from the thir-

tieth of April last and shall continue in such manner as to expire on the thirtieth of April, 1921, and the exclusive privilege for such electric light is granted to the said party of the second part for such period of time; but it is well understood that such privilege is granted by the said municipality of Cartierville only in so far as it is in its power to do so, and the said municipality does not guarantee the right, the existence or validity of such privilege : all that the municipality undertakes to do is to not grant the privilege to any other company during the duration of the said privilege hereby granted, and not itself to supply the streets and buildings with electric light, but to take exclusively from the party of the second part all the electric light it may require at the rates and conditions mentioned in the present by-law. And the said municipality grants to the party of the second part the privilege contained in article 639 of the Municipal Code, respecting works to be done for supplying light to the inhabitants of the said municipality without any warranty however, except in so far as it may have the right to give the same.

13. It is further stipulated that a contract shall be signed at the expense of the party of the second part, by the mayor and the said party of the second part to carry out the present by-law and as soon as the contract is signed, the said party of the second part shall have a delay of six months for carrying out such contract and if it neglects to put the electric light system in operation in a perfect manner within a delay of six months such contract shall be null and void.

14. The municipality of Cartierville shall incur no responsibility in consequence of the work to be done by the party of the second part in connection with the installation of the electric light plant within the limits of the municipality ; the party of the second part undertakes to take all precautions required for the isolation of its electric light wires, etc., and all disbursements, damages or indemnities resulting from accident shall be paid by the party of the second part, the intention of the said parties being that the municipality of Cartierville shall be held harmless by the said party of the second part for all responsibility whatsoever.

15. The privileges and obligations of the party of the second set forth in the present by-law shall apply to its successors and representatives, if necessary.

Such are the stipulations of the parties agreed upon and accepted hereby on both sides.

Whereof, acte ; done and passed at Montreal, under the number one thousand four hundred and fifty-four of the minutes of the undersigned notary.

And the parties have signed with us, the said notary, these presents first duly read.

(Signed) FELIX PLOUFFE, *mayor*,

" E. CHAMPAGNE,

" H. GOHIER, N. P.

True copy of the original remaining of record in my office.

H. GOHIER, N. P.

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### SCHEDULE V

In the year nineteen hundred and six, the thirty-first of December.

BEFORE MR. HERCULE GOHIER, the undersigned notary public for the Province of Quebec, residing in the town of St. Laurent, in the county of Jacques-Cartier, and practising in the city and district of Montreal, in the said province.

#### CAME AND APPEARED :

THE CORPORATION OF THE MUNICIPALITY OF THE VILLAGE OF CARTIERVILLE, a body politic and corporate having its principal place of business in the said village of Cartierville, herein acting and represented by Félix Plouffe, trader and mayor, and Louis Boyer, esquire, advocate and secretary-treasurer, both of the said village of Cartierville, hereunto duly authorized by by-law of the municipal council of the said corporation, dated the tenth of September last, 1906 and by a resolution of the fifth November instant, 1906, copies whereof duly certified by the secretary and signed and initialed by the parties and notary, *ne varietur*, remain annexed to the original of these presents.

*Party of the first part, herein called " The Corporation. "*

#### AND

THE SARAGUAY ELECTRIC AND POWER COMPANY, a body politic and corporate having its head office in the city of Montreal and herein represented by Mr. Evariste Champagne, insurance inspector of Montreal, and manager of the said company, hereunto authorized by and in virtue

of a resolution of the board of directors of the said company dated the fifth December, one thousand nine hundred and six, a copy whereof duly certified by the secretary of the said company and signed and initialed by the parties and notary, *ne varietur*, remains annexed to the original of these presents.

Party of the second part, herein called "The Company."

Which parties of the first and second parts have entered into the following stipulations, to wit :

1. The company may and shall instal and operate during the duration of its privilege, the whole at its own expense, a complete system of waterworks within the limits of the afore-said corporation, and on the following conditions :

The company above designated shall instal at its own cost and at such depth as it may deem advisable, a pipe of iron or its equivalent, of a sufficient size ;

a. From the eastern boundary of the municipality on the Sault road, opposite the lot of Mr. Emile Galibert ;

b. On the St. Laurent road, from the river des Prairies to the southern boundary of the municipality ;

c. In Gilbert or Falbert street ;

d. In all the streets, lanes and public places or private lands, upon requisition and guarantee by the council of an amount equal to seven per cent of the cost of the said pipes and of the laying thereof within the territory extending from Mr. Emile Galibert's lot to the eastern boundary of the municipality of the village of Cartierville and equal to ten per cent in the remainder of the municipality of the village of Cartierville, for a period of ten years; after such period of ten years, the ordinary tariff mentioned in this by-law shall then be in force.

3. In the case provided by this paragraph the company may and shall charge if hereunto required by the council of the village of Cartierville, a tariff sufficiently high to assure the revenues above specified.

4. The company shall instal at every four hundred feet or otherwise, provided there be the same number as if they were placed at four hundred feet along the whole distance of the said waterworks, as indicated to it by the engineer or other officer of the corporation duly authorized for the purpose, hydrants of a pattern approved by the council or officer designated by it to such effect, without other costs than those mentioned in this by-law during the construction of the said waterworks. If application be made for the installation o

hydrants after the work of building the waterworks is completed, the corporation shall give one month's notice to the company which shall put in the same at its expense. The company shall not be responsible for any damage caused by the said hydrants freezing or not working for any reason whatsoever; but shall be bound to thaw them out and repair them at its cost within twelve hours following the notice which shall be given in writing to that effect by any authorized officer of the council.

5. With the above exception, the company shall at all times keep the waterworks in good working order, maintain a good pressure in the pipes of the said waterworks, so as to give a first class supply of water for all public, private and industrial purposes.

6. The company shall build a reservoir or water tower within the limits of the municipality of the village of Cartierville, or it may, if it prefers, connect its pipes with another waterworks outside of the municipality of the village of Cartierville, or it may also pump the water directly into its pipes and in such case it shall not be bound to build any reservoir or water-power.

7. The intake of the water shall be in the Rivière des Prairies at the place where the works of the company are now situate.

8. The municipal council of the said village of Cartierville hereby grants the said company an exemption from taxation for the whole system of the said waterworks and the whole plant it may possess within the limits of the municipality in accordance with the present by-law for twenty-five years, the duration of the privilege hereby granted.

9. The said council grants to the said company, the privileges contained in article 639 of the Municipal Code with respect to works to be performed for the supplying of water to the inhabitants of the said municipality, and also grants it the right to make the necessary excavations in the streets for the purpose of repairing the said waterworks when necessary.

10. The company shall come to an agreement with the Turnpike company, the corporation subrogating it in its rights, subject to the company enforcing the same at its expense if necessary.

11. The company shall replace the roads in good order as before the works and shall alone be responsible towards any person whomsoever for all damages resulting both from the said water-works and the installation of the same and shall hold the corporation harmless.

12. This by-law shall be in force and shall continue so as to expire on the first of September, 1931, and an exclusive



privilege for the supply of water within the limits of the municipality is hereby granted to the said company for such period of time ; the municipality of the village of Cartierville however shall be responsible only for its own acts, and the company undertakes to enforce itself, its rights against third parties.

13. Throughout the duration of the privileges hereby granted the right to supply water shall belong exclusively to the company and no person or corporation shall have the right to take water elsewhere than from the water-works of the company, and on the terms and conditions mentioned in the present by-law and the taking of water from the said waterworks by every person shall be obligatory.

13a. The privileges and obligations of the company set forth in this by-law shall apply to its successors and assigns, if necessary.

14. The company shall begin its work of constructing the said waterworks before the first of May, 1907, and shall complete the same before the first of November of the same year.

15. The company may supply water to other municipalities, companies and individuals outside of the municipality from its waterworks, provided the municipality or the rate-payers do not suffer thereby.

16. No tariff higher than the following shall be charged by the company, namely :

Dwellings. Seven dollars per annum for the first water-tap and one dollar per annum for each additional water-tap.

Stores and butcher stalls. Ten dollars per annum for the first water-tap ; three dollars for the second water-tap and one dollar per annum for each additional water-tap.

Hotels and taverns. For hotels and taverns, twenty dollars per annum for the first water-tap, four dollars per annum for the second water-tap and two dollars per annum for each additional water-tap.

Hotel stables. Five dollars per annum.

Horses. One dollar per annum up to ten dollars each.

Cows.. Fifty cents per annum up to twenty, each.

Livery stables. Two dollars per annum per stall, whether occupied or not.

Hand hose. For watering, with nozzle not more than one quarter of an inch, two dollars per annum.

Electric or Steam Railway Stations. Twenty-five dollars per annum for the first water-tap, five dollars per annum for each additional water-tap.

Steam-engines. Seven dollars per annum per horse-power besides a tariff on the nozzle.

Meter tariff. Three cents per 100 gallons when the quantity employed daily is 1000 gallons or less.

## GALLONS.

From 1000 to 2000.....	29	cts	per 1000
“ 2000 “ 3000.....	28	“	“ “
“ 4000 “ 5000.....	27	“	“ “
“ 5000 “ 6000.....	23	“	“ “
“ 6000 “ 7000.....	21	“	“ “
“ 7000 “ 8000.....	20	“	“ “

When the average quantity used is over 8000 gallons per diem, twenty cents per thousand gallons.

Building materials. Six cents per 1000 bricks, five cents per toise of masonry, four dollars per 1000 yards of plaster.

Private fountains. Special arrangements may be made between the company and private individuals.

Hydrometers. Persons taking water by meter shall have the right to furnish their own meter, subject to the approval of the company ; if the company supply the meters, the charge shall be made as follows :

Hydrometer of $\frac{1}{2}$ inch .....	\$3 00	per annum
“ $\frac{3}{4}$ “ .....	3 75	“
“ 1 “ .....	4 75	“
“ $1\frac{1}{2}$ “ .....	8 00	“
“ 2 “ .....	14 00	“
“ 3 “ .....	25 00	“
“ 4 “ .....	45 00	“
“ 6 “ .....	100 00	“

Hydrants. For all hydrants placed in the streets of the municipality, the corporation shall be charged an annual due of fifteen dollars each.

For all other purposes not specified, the tariff shall be settled by arbitration.

17. The company may collect the tax or due for supplying water to every proprietor, tenant or occupant of a house, store, or other building whether he uses or does not use the water provided the company has sent him notice that it is prepared to supply water near his store, house or building on the line between the public road facing the same and his lot.

17a. All connections with the company's pipes shall be made at the expense of the individuals.

17b. The sums above fixed for the supply of water shall be payable in advance at the office of the company semi-annually on the first of the months of May and November in each year.

18. The company shall have the right to shut off the water from any person who neglects or refuses to pay the amount

above specified, being obliged to pay the same, within ten days from the date when the said water tax or rates became due, and in such case, the corporation shall also have the right to collect and to sue for the recovery of the taxes due and to become due, even after the water has been shut off.

19. The company shall have the right to prevent waste or loss of water by ratepayers and may at any suitable hour of the day, visit the houses or other premises to ascertain whether there is any waste or loss of water.

20. If at any time the company neglects to supply water as herein specified, the corporation shall, after five days notice, have the right itself to furnish water and to use the waterworks system of the company for such purpose, and the right to receive the price of the water, both for private and public purposes, during that time shall cease to belong to the company and shall inure to the corporation, the whole without prejudice to lawful damages.

In the event of the company continuing, after three months notice, not to supply water, except in the case of irresistible force as agreed upon, the said system shall remain the property of the corporation without compensation.

21. The corporation shall have the right to purchase the said waterworks system at any time after the expiration of the franchise by paying the real value thereof as established by arbitration in accordance with the Cities and Towns' Act, 3 Edward VII, chapter 38, section 28.

And in order that the water service may not be interrupted, the corporation shall have the right under the circumstances aforesaid to take possession of the said waterworks system and to collect the water rates as soon as the council shall have duly given notice to the company of its intention to do so, and the sum subsequently fixed by the arbitration shall bear interest at the legal rate then current from the date of such taking possession.

It is further understood and agreed between the parties hereto, that the said party of the second part shall, further, construct, at the same time as the waterworks, but on account of the corporation, in the streets specified in the second paragraph above, sections *a*, *b* and *c*, a sewerage system according to plans prepared by F. C. Laberge, engineer, comprising filters, basin, pump and shelter for the same, the whole subject to the acceptance of the engineer and for such works the price shall be paid by the company fifteen days after the plans prepared by the engineer of the corporation shall be ready, payable on certificate of the said engineer in the course of the works, less fifteen per cent draw-back until the final acceptance of the work, when the balance shall be payable.

In the event of the company's tender not being accepted by the corporation for the construction of the said sewer,

the said company shall allow the corporation to use its trenches, but in such case the corporation shall pay the company twenty-five per cent of the cost of excavation, and if the company is obliged to perform additional work of excavation on account of the said sewer, the total cost of the additional work shall be paid by the corporation.

The company shall furnish for ever, on the north-east side of its lot at Cartierville, known and designated as being a portion of the lot of land number twenty-four of the cadastre of the parish of St. Laurent, the land required for the filter and the necessary connections to connect it with the sewers and carry the water to the river, according to plans and specifications of the engineer of the municipality, gratuitously if their tender for the construction of the drain is accepted and for the price of seven hundred and fifty dollars if it be not, and to supply, when and as long as the corporation requires the same, electric power for pumping the water from the drains to the filter at the price of ten cents per kilowatt hour.

As the company extends its waterworks system, it shall, when thereunto required by the council of the village of Cartierville, lay at the same time in such manner that the municipality of the village of Cartierville may benefit by the excavation, the sewer pipes or drains of the municipality of the village of Cartierville as required by the engineer of the latter, in consideration of the remuneration of ten per cent over and above the cost of the pipes and accessories and labor for the additional laying and the excavation required.

And in order that the municipality of the village of Cartierville may avail itself of this clause, the company shall give one month's notice of any proposed extension to its waterworks.

The company shall pay the cost of these presents and of a registered copy for the corporation and undertakes to consent to sign at the expense of the corporation all deeds useful or necessary for the purpose of constituting a good title in favor of the corporation to the land required for the filter.

Such are the agreements between the parties.

Whereof acte ; done and passed at the city of Montreal, under the number fifteen hundred and seven of the repertory of the undersigned notary.

And the parties of the first and second parts have signed with us, notary, these presents duly read.

(Signed) FELIX PLOUFFE, *mayor*,

" E. CHAMPAGNE,

" LOUIS BOYER,

*Secretary-treasurer*,

" H. GOHIER, N. P.

True copy of the original remaining of record in my office.

H. GOHIER, N. P.

## VI

In the year one thousand nine hundred and six, on the third of December,

Before Mr. JOSEPH ADHEMAR OGDEN, the undersigned notary public for the Province of Quebec, in Canada, residing and practising in the city of Montreal,

## CAME AND APPEARED :

THE MUNICIPALITY OF THE VILLAGE OF AHUNTSIC, a body politic and corporate, having its principal place of business in the village of Ahuntsic, herein acting and represented by His Worship the mayor, Mr. Silfrid Gaudry, accountant, and Mr. Adolphe Anicet Prieur, secretary-treasurer of the said municipality, both residing in the village of Ahuntsic and hereunto duly authorized by and in virtue of a resolution of the municipal council of the said municipality of Ahuntsic, passed at its special session, held on the fifteenth day of the month of October, one thousand nine hundred and six, a duly certified copy whereof shall remain annexed to the original of these presents ; the said resolution having been passed to give effect to a resolution of the municipal council of the said village of Ahuntsic, and a duly certified copy of the same shall also remain annexed to the original of these presents,

*Party of the first part.*

## AND

THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY, a body politic and corporate, having its head office in the city of Montreal and herein acting and represented by Mr. Evariste Champagne, residing in the city of Montreal hereunto authorized by and in virtue of a resolution of the board of directors of the said company dated at a meeting held on the sixth November, one thousand nine hundred and six, a certified copy whereof shall remain annexed to the original of these presents, after having been signed *ne varietur* by the managing director and the undersigned notary,

*Party of the second part.*

Which said parties represented and acting as aforesaid have covenanted together as follows :

The party of the second part undertakes :

1. To instal the necessary electric system in the neighborhood

and within the limits of the municipality of Ahuntsic, to light the latter.

2. To put up poles at the places indicated by the council within the limits of the municipality, to put the necessary lamps and transmission wires on them without any charge whatever on the municipal ty.

3. To supply 16 candle-power lamps at the rate of ten dollars (\$10.00) per lamp and 32 candle-power lamps at the rate of twenty dollars (\$20.00) per lamp, provided the municipality undertakes to assure it a minimum of forty (40) lamps and grants it an exemption of taxes for twenty-five (25) years.

In addition to the above, the parties hereto also covenant as follows, to wit :

1. The said company hereinabove designated shall instal at Cartierville and operate at its own expense the electric machinery, dynamos, etc., in a word, all the plant required for the supplying the municipality of Ahuntsic and its inhabitants with all the light they may deem advisable to take.

2. Everything connected with the installation, both at Cartierville and on the distance between Cartierville, St. Joseph de Bordeaux, and in Ahuntsic, of such system of electric light, such as wires, poles, electric lamps, reflectors, etc., finally everything that may be necessary for supplying light as aforesaid, shall be at the expense of the said company, its successors or assigns and shall be kept in good order and condition at its cost and expense, without the said corporation having anything to pay for any reason whatsoever.

The said company shall instal in the municipality of Ahuntsic at such places as may be indicated to it by the council of the said village, forty electric (40) lamps of sixteen (16) candle-power or an equivalent number of lamps of thirty-two (32) candle-power lamps at the choice of the said council or any additional number of electric lamps required by the council, by giving the said company eight days' notice to put up such additional lamps.

The company shall keep everything connected with its system in good working order ; shall, when needed, replace all materials or plant required for the working of the electric light, such as poles, wires, meters, electric lamps broken, burned, blackened by use, as soon as notified in writing to do so by the inspector of the municipality, within twenty-four (24) hours, and without any charge.

3. Each and every of such lamps shall be placed at the height of from twelve to fifteen (12 to 15) feet and provided with reflectors called Regulation Reflector Types ; and shall be attached to the poles by iron rods of the required length so that the lamp will give the greatest possible light, without causing

damage to passers by, even those in vehicles, and this according to the opinion of the engineer of the municipality.

4. It is well understood that each and every of such lamps shall receive the minimum force of one hundred and four (104) volts or fifty (50) double ampere volts, provided the result is the same, and if one or more of the said lamps be extinguished and remain extinguished owing to the breaking of the wire, or otherwise, for one or more evenings after notice has been given, a discount in proportion to the period of time during which they shall remain so extinguished shall be allowed to the said municipality.

5. It is well understood that if the contracting company does not give good light and does not carry out its contract according to its tenor and the corporation has reason to complain of the said company, as soon as it is established by the mayor, a justice of the peace and a councillor by a minute drawn up to that effect, without its being necessary to have recourse to the courts, the said municipality of Ahuntsic shall have the right to put an end to this contract by giving three months' notice to the said company.

6. The company shall not have the right to put its wires on the roofs of houses, by means of bridges, nor upon trees in the municipality without the consent of the owners.

7. The light shall be supplied for lighting the streets by the said electric light company during the period of darkness counting from sunset to sunrise; this shall comprise the whole period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

Light shall be supplied by the company for lighting the private houses of the inhabitants of the village of Ahuntsic as stated elsewhere, on application, by means of incandescent or arc lamps. The electric current for the lamps shall be in operation as set forth elsewhere and such current shall always be first class.

The company further undertakes to supply electric power to the inhabitants or manufacturers of the municipality, by meter at the rate of ten (10) cents per kilo-watt-hour, with a minimum charge of thirty dollars (\$30.00) per annum per horse-power, up to twenty horse-power, and twelve dollars (\$12.00) per annum per each additional horse-power over twenty; the motive power shall be established by the capacity of the motor. The company undertakes to supply power during the day time, provided it has contracts for one hundred horse-power within the limits of the municipality on the prices and conditions above mentioned. It shall not be obliged to work its machinery during the day time for less than one hundred horse-power within the limits of the municipality.

8. It is further agreed and understood that the said company shall supply free of charge to the corporation of the municipality of Ahuntsic all the electric current necessary for thawing out the hydrants of the water-works of the municipality of Ahuntsic on the following conditions :

a. The power shall be supplied only during the hours when the machines are working in carrying out the present contract and the corporation shall give at least three hours notice except in case of fire.

b. All apparatus necessary for thawing shall be supplied and kept in order by the corporation ; such machines shall be accepted by the company's engineer ;

c. The current required for such purpose shall be taken at the place indicated by the engineer of the said company, and the connection and disconnection shall be effected in the same manner.

d. The corporation shall supply all necessary assistance to the said company and further pay thirty-five cents per hour to the employees of the said company ;

e. The company assumes no responsibility as regards accidents of any kind during such thawing out, unless they are caused by the incompetence of the company's employees. The corporation shall be responsible to the company for all accidents caused to the latter's machines through the incompetence of the corporation employees in thawing out the hydrants.

f. The said company undertakes to supply power without other charges than those mentioned above, in the streets only where electric posts and wires are laid ;

9. The said company undertakes to supply the corporation of the village of Ahuntsic with all the power needed for pumping the water of its water-works at ten (10) cents per kilo-watt-hour and one dollar per month for rent of the meter and the following rate shall be established as the minimum :

Five hundred dollars (\$500.00) per annum for a twenty (20) horse-power motor and ten dollars (\$10.00) per annum for every additional horse-power, and if the consumption calculated at ten (10) cents per kilo-watt-hour does not attain the amount fixed by the minimum, such sum fixed by the said minimum shall be payable in any case :

*Example.*—If the corporation installs a thirty-five horse-power motor, it shall then be bound to pay the following minimum, even if it did not use all the current represented by that sum calculated at ten cents per kilo-watt-hour : twenty horse-power per annum, five hundred dollars (\$500.00) each additional horse-power per annum, ten dollars (\$10.00).

The current shall be supplied from twelve o'clock at night (12.00 midnight) until sunrise.



Should such period of time not be sufficient for pumping the water, it shall be increased when necessary, but shall not, at any time, be supplied before ten o'clock in the evening (10 p.m.)

The current shall be measured by a Three Phase Meter 60 Cycle. The power factor of the motor must be not less than eighty-five per cent (85%) at full load.

A smaller motor would entail considerable expense on the company. The use of the light is not obligatory but voluntary for the rate-payers ; nevertheless, the company shall be obliged to supply light to all who apply for it at the rates hereinafter stipulated :

10. The said company shall likewise furnish to the residents of the municipality of Ahuntsic applying therefor, electric light at a rate not exceeding six dollars per annum per light of sixteen candle-power, to burn constantly during the hours of darkness every day at a rate calculated according to meter.

Should the corporation, during the continuance of this contract, wish to have arc lamps of twelve hundred (1200) candle-power, the company shall supply the same at a maximum price of ninety dollars (\$90.00) per lamp for the first ten lamps, eighty-five dollars (\$85.00) for the next ten lamps, eighty dollars (\$80.00) for the next ten after the above twenty, and seventy-five dollars (\$75.00) for all lamps over thirty.

The said municipality, shall also have the right to substitute arc lights for the sixteen and thirty-two candle-power lights on giving written notice eight days beforehand and this at the expense of the company.

The said company shall not charge a higher tariff than the following, to wit :

TARIFF FOR ELECTRIC LIGHT

*Street lighting*

Sixteen candle-power lamp, per annum.....	\$10.00
Thirty-two candle-power lamp, per annum.....	20.00
To be maintained at the charge of the company from sunset to sunrise.	

*Private lights*

For every sixteen candle-power lamp, three quarters of a cent per ampere hour, of 50 volts or fifty watt-hours, plus twenty-five cents per month for the meter, with the right to purchase such meter from the company. No meter shall be supplied unless the consumption shall be at least one dollar per month.

Discount of ten per cent (10%) on each month's account under a yearly contract.

Discount of twenty-five (25%) per cent on three year contract.

*Current rates*

Six dollars (\$6.00) per lamp of sixteen (16) candle-power per year.

To be maintained at the charge of private individuals ; the current to be taken to the place where it enters the property.

11. The municipality of the village of Ahuntsic shall pay to the said company for lighting the said municipality for forty (40) lamps above mentioned, the sum of ten dollars (\$10.00) per lamp, or if said corporation chooses thirty-two (32) candle-power lamps, the rate shall be twenty dollars (\$20.00) per lamp of thirty-two (32) candle-power, payable every three months, the first payment to commence three months after the said company shall have commenced to operate the light and shall have supplied the same as agreed upon with the said municipality, and continue to do so until the thirtieth September-one thousand nine hundred and thirty-one.

And if the said municipality at any time during the continuance of this contract requires an additional number of lights, it shall pay to the said company a sum of ten dollars (\$10.00) per light of sixteen (16) candle-power lamps and of twenty dollars (\$20.00) per lamp of thirty-two (32) candle-power.

12. The said company shall also have the right to supply electric light with its installation at Cartierville to the municipalities and rate-payers adjoining the municipality of Ahuntsic, and may place its wires on the poles which it shall use for lighting Ahuntisc for the purpose of conveying the light to another municipality.

13. It is well understood that the municipality of Ahuntsic shall have no other obligation towards the said company than that above mentioned to pay it a sum of ten dollars (\$10.00) per lamp of sixteen (16) candle-power and of twenty dollars (\$20.00) per lamp of thirty-two (32) candle-power.

14. The municipality hereby grants the said company exemption from taxation on the poles and all the plant it may have within the limits of the said municipality under the present contract and this during the whole duration of the present contract.

15. This by-law shall continue in such manner as to expire on the thirtieth of September, 1931, and an exclusive privilege for such electric light and power is granted to the said company for such period of time ; but it is well understood that such privilege is granted by the said corporation only in so far as

it is in its power to do so, and it does not guarantee in any wise the right, existence or validity of such privilege ; all that the municipality undertakes to do is to not to grant the privilege to any other company during the duration of the said privilege hereby granted, and not itself to supply the streets and buildings with electric light but to take exclusively from the said company all the electric light and power it may require at the rates and conditions mentioned in the present by-law, except in the case of the municipality buying the company's lines as mentioned in article 16. And the said municipality grants to the said company the privilege contained in article 639 of the Municipal Code respecting works to be done for supplying light to the inhabitants of the said municipality, without any warranty, however, except in so far as it may have the right to give the same.

16. After each period of five years beginning from the signing of this contract, the municipality of Ahuntsic shall have the right to repurchase from the said company or its representatives the whole of their electric light system such as poles electric lamps, meters, transformers, etc., installed in the municipality of Ahuntsic on condition that it shall pay to the said company the intrinsic value of such installation, such value to be determined by three arbitrators : one to be appointed by the company, one by the municipality of Ahuntsic and the third by the two other arbitrators, with an additional twenty per cent ; and upon payment of such sum determined by such arbitrators, the said company shall transfer to the municipality the ownership and possession of everything above mentioned. The arbitrators' award establishing the cost of such lines of transmission or electric plant shall be final.

The municipality of the village of Ahuntsic shall notify the said company at least three months before the expiration of each term of five years, in writing, of its intention to effect such repurchase and shall at the same time that it shall give notice appoint its arbitrators ; the said company shall appoint its arbitrators within a delay of eight days, the two arbitrators chosen shall appoint a third within an additional delay of eight days, and the three arbitrators shall give their award as soon as possible.

In the event of the repurchase of the system of electric light installed within the limits of the municipality, the corporation undertakes to purchase from the company all the power it may need for the operation of its lines or of any other industry working by electricity within the limits of the municipality, at a rate not exceeding eight (8) cents per kilo-watt-hour.

In the event of the purchase by the said municipality, the latter shall allow the said company to put wires and cross-arms on its poles for the remainder of the term of the franchise, so as

to enable it to fulfil its contracts for light and electric power which it may have with municipalities beyond the limits of the municipality of Ahuntsic, and this without charge.

17. The municipality of Ahuntsic shall incur no responsibility in consequence of the work done by the company for the installation, operation and proper working of its electric light plant within the limits of the municipality, the company undertaking to take all proper precautions for the isolation of its electric wires, etc., and all disbursements, damages or indemnities resulting from accident shall be paid by the said company, the intention of the parties being that the municipality of Ahuntsic shall be held harmless by the said company from all responsibilities whatsoever and for anything whatsoever.

18. The privileges and obligations of the said company set forth in this by-law shall apply to its successors and representatives, if need be.

19. To secure the execution of the contract which the parties shall sign after the adoption of this by-law, the Saraguay Electric Light and Power Company shall deposit, as security for the execution of the by-law and contract, an accepted cheque for one thousand dollars (\$1,000.00) and if the company neglects to put the electric light system in operation in a thorough and satisfactory manner within a delay of six months, the contract shall be null and void and the municipality of Ahuntsic shall have the right to keep such amount of one thousand dollars (\$1,000.00) as liquidated damages caused by the non-execution of the contract or the refusal to comply therewith.

It is well understood between the parties that the said cheque of one thousand dollars shall be handed back to the said company as soon as the latter shall light the municipality to the satisfaction of the council.

20. The cost of lighting the municipality shall be paid out of the management expenses fund and shall be levied on all taxable property in the municipality under the terms of article 489 of the Municipal Code and those for pumping, out of the moneys to be levied under by-law No. 35.

21. The present by-law shall come into force immediately after its promulgation. The mayor and secretary-treasurer of the municipality are both authorized to sign, for and on behalf of the municipality, a contract based on the provisions of the present by-law.

22. All sums of money due the company for private lighting or by the corporation shall be paid at the head office of the company within fifteen (15) days after demand and if the consumer neglects to pay what he owes the company within

such delay of fifteen days, he shall forfeit all right to the discount mentioned in article 10 of this by-law.

23. The company undertakes to grant a discount of thirty-five per cent (35%) to any person who subscribes a contract for five years before the first November one thousand nine hundred and six. The company does not undertake to renew such contracts at thirty-five per cent after such period of five years, but the discount of ten and twenty-five per cent (10% and 25%) shall be granted during the entire continuance of this contract, namely, for twenty-five years.

The company undertakes throughout the continuance of the contract to remit yearly an amount of twenty-five dollars on the cost of lighting the council room and also for two lights in front of the residence of the mayor of the municipality, the lamps to be put up at the expense of the municipality.

Whosoever shall infringe any of the provisions of the said by-law No. 36, annexed to the original of these presents, shall be liable to a fine or penalty not exceeding twenty dollars, with costs, or to an imprisonment of thirty days for each offence.

DONE AND PASSED in the city of Montreal on the day and in the month and year above written under the number fifteen of my repertory.

And the parties, represented and acting as aforesaid, have signed with me the said notary, these presents first duly read.

(Signed) S. GAUDRY, *Mayor*.  
" A. A. PRIEUR, *Sec.-treas.*  
" E. CHAMPAGNE,  
" J. A. OGDEN, N. P.

True copy of the original hereof remaining in my office.

J. A. OGDEN, N. P.

## VII

On this day the fourteenth of the month of May, one thousand nine hundred and seven,

Before ERNEST R. DECARY, the undersigned notary, duly admitted and sworn in and for the Province of Quebec, residing and practising in the city and district of Montreal,

CAME AND APPEARED :

THE SARAGUAY ELECTRIC LIGHT & POWER COMPANY, a body politic, duly incorporated, having its principal place of business in the city of Montreal, herein acting and repre-

sented by Mr. Evariste Champagne of the same place, its managing director, duly authorized to the effect hereof by virtue of a resolution of the board of directors of said company, dated the fourteenth of May instant (1907), a copy whereof is annexed hereto after having been signed and paraphed *ne varietur* by the parties and the undersigned notary,

*Of the first part.*

AND

THE MUNICIPAL CORPORATION OF THE TOWN OF NOTRE-DAME DE GRACES, herein acting and represented by Mr. Thomas Trenholme, mayor of said town, and Mr. Leon Descaries, its secretary-treasurer, both duly authorized to the effect hereof by virtue of a resolution of the council dated the sixth of May instant (1907), a copy whereof is attached hereto after having been signed by the parties and the undersigned notary,

*Of the second part.*

Who have agreed as follows :

That whereas the said town has issued specifications bearing date the thirtieth of April last (1907), and which cover the supply of electric light in streets, lanes, parks and public places of the town of Notre-Dame de Grâces, and also for the supply of electric light for private users' demand, copies of which specifications are annexed to these presents and signed *ne varietur* by the parties and the said notary ;

And whereas the parties of the first part have made an offer to furnish said electric light for said streets, lanes, parks and public places in accordance with said specifications, as follows:

For one Glower or 52 candle-power Nernst incandescent street lamp, twenty-five dollars (\$25.00) per year.

For two Glowlers or 104 candle-power Nernst incandescent street lamps, thirty-five dollars (\$35.00) per year.

For electric energy furnished to such private users as are situated within a reasonable distance of the main lines, and who shall contract for yearly service under form of contract similar to the standard, copy whereof is annexed hereto, and signed by the parties and the said notary, at the rate of fifteen cents (15c) per kilo-watt hour subject to a discount of thirty-five per cent for prompt payment within ten days of the date of the account with a meter rental of twenty-five cents (25c) per month, the company to renew free of charge all blackened and burned out 8-10 and 16 candle-power clear globe lamps under such contract, which offer has been accepted by the party of the second part.

Now therefore these presents and the said notary witness :

That the said town hereby accepts the offer of said company for the prices above mentioned for street lighting, and, in consideration of said prices for street lighting and private use, hereby grants to said company an exclusive franchise for the supply of electric light for the streets, and a non-exclusive franchise for the supply of electric lighting for private users whether persons, companies or corporations within the bounds of the municipality or as extended during the period of this contract, said franchise to be for a term of ten years from the date of the first connection and supply of street lighting, with the option in favor of the parties of the second part of a further extension of ten years from the date of the expiration of this contract. The whole in strict conformity with the terms of said specifications hereto annexed, said company hereby agreeing and binding itself to furnish said light and power at the terms, prices and conditions above mentioned for all lighting of the streets, lanes, parks and public places of the town of Notre-Dame de Grâces, and also of the private users of their electric energy.

It is specially understood by these presents that the specifications and form of contract hereto annexed are of the essence of these presents, without which they would never have been consented.

WHEREOF ACTE :

DONE AND PASSED at the said city of Montreal, under the number four thousand four hundred and seventy-three.

And after due reading hereof, the parties have signed with the undersigned notary.

(Signed) T. A. TRENHOLME, *Mayor*.  
" L. DESCARRIES, *Sec.-treas.*  
" E. CHAMPAGNE, *Managing Director*.  
" E. R. DECARY, *Notary*.

True copy of the original hereof remaining of record in my office.

E. R. DECARY.  
*Notary.*

## VIII

## SPECIFICATIONS FOR STREET LIGHTING

These specifications dated April, 30th 1907, are intended to cover the present and future requirements of the purchaser for lighting the streets, lanes, parks and public places for the time, in the manner, and under the conditions set forth in the following paragraphs :

1. The purchaser will grant to the contractor the exclusive necessary rights and powers, (which it hereby declares itself to possess) throughout the limits of the town of Notre Dame de Graces as at present fixed or as may in future be extended during the period of this contract, to distribute electrical energy through the streets, lanes, parks and public places in the said town for the purpose of lighting the said streets, lanes, parks and public places.

2. The purchaser will grant to the contractor all the necessary rights and powers, which it hereby specifically states it has the power to grant, for the distribution of lighting and power to private citizens, firms or corporations throughout the bounds of the municipality. The purchaser however, specifically reserves the right to grant to any other persons or corporations similar rights for the purpose expressed in this paragraph, and the right also to continue the rights and privileges of existing companies within the bounds of the municipality for the same purposes.

3. The purchaser will contract at the present time for at least one hundred " Nernst " incandescent street lamps which shall not be varied to a less number throughout the period of this contract. The municipality of Notre Dame de Graces to have the privilege of changing from the Nernst lamps to arc lamps or the best lamp on the market, by giving three months written notice to the company and paying the actual cost of changes, and also a rate per arc lamp of ninety dollars (\$90.00) per lamp per year.

4. The purchaser agrees that he will, from time to time, as required by him, order all such additional lights of Nernst candle-power for the lighting of streets, lanes, parks or public places from the contractor, at the same rates, and under the same conditions as herein expressed for the original number. Notwithstanding anything herein contained, the contractor shall, for such additional lights as may be ordered from time to time, and located by the town engineer, do such extra construction as may be necessary at his own expense.

5. No order for additional lights contemplated under this agreement, shall be for less than 150 candle power, divided as may be required between 50 (fifty) candle power-lamps.



6. This contract shall extend for a period of ten years from the date of the first connection and supply of street lighting, and may at the option of the purchaser be extended for a further period of ten years at the same rates and under the same conditions.

7. Payments shall be made by the purchaser monthly upon bills presented by the contractor for the previous month's lighting, such bills to be accompanied by a certified statement that the amounts due are payable, deductions having been made for such outages of lamps as may have occurred during the month.

8. The town engineer shall deduct two nights' pay in proportion to the price mentioned herein for every light, not up to the standard, or three nights pay for any light which the contractor shall fail to light during any entire night, provided, the town engineer may, in fairness, if circumstances require that a less deduction be made, remit part of the penalty imposed by this section, subject to the approval of the lighting committee. No reductions, however, shall be made for lights out caused through the cutting of wires by the fire department of the purchaser, or directly resulting from flood, fire, damages by irresistible force, mobs or the King's enemies.

9. In case of failure on the part of the contractor during ten whole consecutive nights, to light the street lamps required by the terms of this contract, the purchaser may, by resolution of council, provide for any character of light which may be necessary to meet the conditions that exist. The additional expenses thereby incurred, shall be charged to the contractor, and may be deducted from the amount owing by the purchaser for the previous or succeeding month's lighting, except such failure be directly resultant from flood, fire, damages caused by irresistible force, mobs, or the King's enemies.

10. Lamps not burning to the satisfaction of the town engineer shall be changed and proper lamps substituted by the contractor within forty-eight hours after notice has been given him in writing by the town engineer.

11. The contractor shall furnish to the town engineer within five days of his request, the number and geographical location of each lamp on each circuit, and shall also specify the order in which the lamps are located on each circuit, and any change in numbering of the said lamps shall be reported to the town engineer as soon as such changes are made.

12. For the purpose of making tests of the current and voltage supply to the lamps and of the candle power of same, and for any examination of the apparatus and appliances used, it is understood and agreed that the contractor shall

furnish to the town engineer, or to such competent person or persons as said engineer may authorize, access at all times to all lamps, conduits, apparatus or machinery on the streets or in any of the stations of the contractors.

13. For the purpose of determining whether the contractor has supplied lighting under the terms of this agreement, the town engineer shall have the privilege at any time and all times while lamps are burning, of testing by standard instruments any of the circuits at such points as may be selected by him, but in doing so shall render the purchaser liable for any damage to person or otherwise that he may cause through making of such tests, or by the use of such instruments and appliances as he may use. .

14. The current furnished shall be sufficient to produce what is known as 50 candle power Nernst incandescent light respectively and shall be maintained by the contractor during lighting period.

All lamps shall be kept clean and burn with a clear steady light during each and every night, and the contractor shall demonstrate when required that the said candle power is supplied.

15. On or before the first of each month, the town engineer shall furnish a schedule showing the time when the lamps shall start to burn for each day of the next ensuing month, and the time when they shall be extinguished, which shall be understood to mean approximately from sunset to a half an hour before sunrise.

16. The contractor shall maintain, at his own expense, an efficient system of patrol for inspecting the street lamps during the burning hours, so that any lamp that fails to burn properly shall be promptly reported, and put in order or replaced. It is agreed by the contractor that he will use the utmost diligence in order that the street lights shall be efficiently burning during lighting hours, and to this end, a sufficient number of men shall be employed by him as inspectors, so that each lamp may be examined at least once each night.

17. The purchaser shall specify the location of the present lamps ordered or those to be ordered for installation thereafter.

Changes of location of said lamps may, however, be ordered by the purchaser, and he shall pay the contractor the actual cost of making such changes. The contractor agrees to make such re-location within one calendar month, after receipt of notice of such change in writing from the purchaser.

18. If in case of fire it may be necessary for the employees of the fire department to cut or remove the contractor's lines and wires which obstruct the work of the fire department,

they shall have the right to cut or remove such lines or wires, which the contractor shall replace at his own expense, but in so cutting or removing the purchaser shall be liable for all damages either personal or otherwise which may be caused by such action, and the contractor agrees to immediately render said lines or wires harmless and to restore said lines or wires at once, when the exigencies which have caused the removal have ceased to exist, and after having been notified to do so by the town engineer.

19. Should the contractor fail to furnish and maintain a street lighting service in conformity with the conditions of the contract, except where such failure is directly caused by flood, fire, damages caused by irresistible force, mobs or the King's enemies, the purchaser shall notify the contractor of his determination to end said street lighting contract at the end of thirty days and of his reasons for same, and the street lighting contract shall be thereby annulled, unless during this period of thirty days it be restored to a satisfactory condition under the terms of this contract,

20. The contractor shall own, erect, maintain, and may remove when necessary or at the termination of this contract, all the poles, wires, lamps, and appliances necessary for the carrying out of the street contract, and shall keep same in proper repair. The poles for street lamp circuits and the apparatus for suspension of the lamps must not be dangerous, unsightly, or such as to disfigure or inconvenience neighboring property unnecessarily, and shall be erected in a manner satisfactory to the town engineer.

21. All safety appliances known in the best electrical practice shall be used throughout the system, authorized directly or indirectly by the contract, and any improvement in lamp fixtures made by the said department shall be made known to the town engineer and if required by him shall be forthwith supplied at the actual additional cost.

22. The poles, conductors, lamps and other apparatus which may be necessary for carrying out this contract shall be furnished and maintained by the contractor at his own expense, and all conductors and live parts shall be thoroughly insulated. The town of Notre Dame de Graces shall not be held responsible for injury or accident which may be occasioned by the conductors of electrical current, and the contractor agrees that he will indemnify and save harmless the town of Notre Dame de Graces, its officers, agents or servants, and each of them, against and from all suits and actions of any description brought against any of them, from all damages and costs to which they or any of them may be put by reason of injury to person or property resulting from negligence or carelessness in the performance of the contract for lighting

the streets, or for any improper or defective material, machinery, implements and appliances used, or for any act, action or neglect in the performance of the said contract for lighting the streets, or for any improper material, machinery, implement or appliances used in the performance of same, or for any act, action or neglect of the contractor or his agents, except as mentioned in articles 8, 9, 13, 17, 18 and 19.

23. The contractor shall have the right to trim the trees, along the streets, lanes, parks, or public squares, etc., in the town of Notre Dame de Graces, and shall not be liable for damage caused by such trimming.

24. The town shall have the right to locate fire alarm boxes and connections on the company's poles free of charge, during the term of contract, throughout the municipality.

25. For the purposes of this contract, the word "town engineer" means, the town engineer or any officer appointed by the town of Notre Dame de Graces.

26. All companies tendering shall make a deposit of \$500.00 as security, which amount shall be returned to the companies tendering on completion of the work, or on refusal of tender without interest.

(Signed) T. A. TRENHOLME, *mayor*,  
 " L. DESCARRIES, *sec.-treasurer*,  
 " E. CHAMPAGNE,  
 " E. R. DECARY, *Notary*.

(True copy.)

E. R. DECARY, *Notary*.

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TO THE SARAGUAY ELECTRIC LIGHT AND POWER  
 COMPANY

STANDARD LIFE BUILDING, MONTREAL.

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1. Subject to the general conditions mentioned below, your Company, hereinafter called "the Company," is hereby authorized and requested by the undersigned, hereinafter called "the consumer," to connect its electric system with the wiring of the Consumer at a point outside the Consumer's premises and to cause electric current to be there delivered for the number of lamps or other apparatus during the period and at the rate mentioned below, which current, it is hereby

agreed, shall be used by the Consumer only, upon said premises only, and for the purposes hereinafter specified only.

2. The Consumer agrees to pay for the supply of current so ordered as required by the company from time to time, according to the amount of current used, and to make such payments at the Company's office within ten days from the date of the account, at the rate and on the basis hereinafter mentioned, with interest at the rate of ten per centum per annum from the date of the account, if not paid within ten days, and subject to the rebate hereinafter mentioned if so paid within the said ten days from date of account.

#### GENERAL CONDITIONS

3. The Consumer will provide all lines on the premises or connecting same with the point of delivery, and maintain the same in efficient condition with proper protective devices, the whole according to fire underwriters' requirements.

4. A meter or meters for measuring the current supplied shall be installed on connection provided by the consumer at a convenient location, and the Consumer agrees to pay rental for same at Company's regular tariff rate.

5. Should any meter fail to register accurately, the Company may at its option charge for the current supplied during the time over which such failure extends, either on the basis of the amount per lamp charged during the corresponding term immediately preceding the period of alleged inaccurate registration, or on the basis of the amount of current used during the corresponding term in the previous year, or the value of the current supplied as established by evidence.

6. Meters and other appliances in said premises, that may be leased from the Company, shall remain its property, but shall be in the care and at the risk of the Consumer, and if destroyed or damaged by fire, or any cause whatsoever, other than ordinary wear and tear, the Consumer shall pay to the Company the value of such meter or appliance, or the cost of repairing or replacing the same. The Company is to have the right of access to meters at all reasonable times for the purpose of reading, testing or removing same.

7. Upon application, the Company will supply ordinary clear glass incandescent lamps of 16 c. p. of its standard base, needed for the renewal of exhausted lamps, but all other lamps, and all lamps mechanically broken, will be supplied only at the expense of the Consumer.

8. No new connection shall be made by which the current could be used except with the written consent of the Company; and any unauthorized use of or in connection with the Com-

pany's current either on the Consumer's premises, or between the premises and the point of connection, or hindrance to access to the Consumer's premises, shall entitle the company to an additional payment of one hundred dollars or at its option to an amount equal to three times the value of the current used.

9. The Consumer is strictly forbidden to interfere with the meters or with the appliances of the company. In case of defective service, notice of the fact should be sent to the Company's office immediately.

10. In case the supply of current should be interrupted or fail, whether from natural causes or accident in any way, the Company shall not be liable for damages, by reason of such interruption or failure, nor be considered in default, provided it use reasonable diligence to restore such supply.

11. The right is expressly reserved to the Company to supply current for city or municipal lighting, traction or purposes affecting the general public before the Consumer.

12. The Company is hereby released from all claims for damages of whatsoever nature caused by electric current at points beyond the point of delivery.

13. The Company reserves the right to discontinue its current without notice, or to cancel this contract, at its option, in case the Consumer is in arrears in payment of any of the Company's bills, or prevents the Company from supplying current according to the provisions of this contract, or in case the Consumer violates any condition of this contract whatsoever.

14. In case the Company cancels this contract or discontinues its supply of current for any of the above causes, or is through the fault of the Consumer prevented from supplying current according to the provisions of this contract, then there shall forthwith become due and payable to the Company, as stipulated damages, the sum of fifty cents per month for each sixteen candle power lamp, or the equivalent thereof, covered by this contract for each month or fraction of a month of the unexpired term of this contract.

15. Inspectors, agents or employees of the Company are not entitled to demand or accept any compensation from customers for services rendered.

16. The Consumer guarantees a minimum payment of . . . . .  
..... Dollars per month.

17. No representations, promises or agreements shall be binding upon the Company unless the same shall be incorporated in this contract in writing before the same is signed and accepted.

When accepted, the foregoing shall constitute a contract

between us to continue in force from year to year until terminated by notice in writing by either party, given at least one month before the end of any yearly term.

- Number of lamps.....
- Location of premises.....
- Nature of occupation.....
- Duration of Contract.....
- Rate per Kilowatt hour.....
- Rate of Rebate.....
- Meter Rental.....per month for each meter
- Deposit or Security.....
- Special Conditions (if any).....

The foregoing is signed by the undersigned after reading and receiving copy of same, and the Company's acceptance may be made by making connection at the point of delivery and installing meter.

Montreal,.....19

..... [ Consumer. Address..... ]

Witness.....

(Signed) T. A. TRENHOLME,  
" E. CHAMPAGNE,  
" L. DESCARRIES,  
" E. R. DECARY, *notary*.

(True copy.)

E. R. DECARY, *notary*.

The following schedules are those referred to in above contract intervened between the Saraguay Electric Light and Power Company and the municipality of the town of Notre Dame de Graces, passed before me the fourteenth of May nineteen hundred and seven.

E. R. DECARY,  
*Notary*.

## IX

In the year one thousand nine hundred and seven, on the nineteenth November,

Before Mtre HERCULE GOHIER, the undersigned notary public for the Province of Quebec, residing in the town of St. Laurent, in the county of Jacques-Cartier, and practising in the city of Montreal, in the district of Montreal, in the said Province,

## CAME AND APPEARED :

THE CORPORATION OF THE VILLAGE OF SAULT-AU-RECOLLET, a body politic and corporate, having its principal place of business in the said village of Sault-au-Récollet, herein acting and represented by Mr. Alphonse Poitras, farmer, of Sault-au-Récollet, mayor of the said municipality, and Mr. Joseph Armand Cadieux, postman, of the same place, and secretary of the said municipality, both hereunto duly authorized by and in virtue of a by-law passed by the municipal council of the said corporation on the second April last, 1907, a copy of which by-law duly certified by the secretary-treasurer of the said corporation and signed and initialed by the notary *ne varietur*, remains annexed to the original of these presents,

*Party of the first part.*

## AND

THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY, a body politic and corporate, having its head office in the city of Montreal and herein acting and represented by Mr. Evariste Champagne, insurance broker, of Montreal, and managing director of the said company hereunto authorized by and in virtue of a resolution of the board of directors of the said company dated the nineteenth November, one thousand nine hundred and seven, a copy whereof, duly certified by the secretary and signed and initialed by the notary *ne varietur* remains annexed to the original of these presents.

*Party of the second part.*

Which said parties of the first and second part have covenanted together as follows, to wit :

The party of the first part grants the party of the second part, thereof accepting :

1. The right to erect lines for the transmission of electric



power within the limits of the municipality of the said village of Sault-au-Récollet, provided the poles to be put up by the party of the second part within the limits of the said municipality shall be at least thirty-five feet long on the main street and thirty feet long in all the other streets.

2. The right to cut branches of trees impeding the putting up of the transmission lines, provided the party of the second part follows the instructions of the inspector of the said party of the first part and causes the least possible damage to the trees whose branches have to be cut and provided also that the said party of the second part shall be responsible to the owners for all damage.

3. The said party of the first part further grants to the said party of the second part, thereof accepting, exemption from taxation for a period of ten years from the passing of by-law No. 57 of the by-laws of the said corporation, for all the transmission lines and plant only of the party of the second part within the limits of the municipality of the village of Sault-au-Récollet, used for light or motive power.

On its part, the party of the second part, undertakes, promises and binds itself to supply to every resident applying for the same as soon as the said transmission lines shall have been put up, the power needed for lighting, at the rate of three quarters of a cent per ampere hour with a discount of thirty-three and a third per cent for a five years' contract and ten per cent discount for a one year's contract, and shall not charge more than twenty-five cents per month for the rent of a meter.

The said party of the second part shall further supply the said party of the first part, at the latter's request, with the electric power required for lighting the streets of the said party of the first part at the rate of ten dollars per lamp of sixteen candle-power and twenty dollars per lamp of thirty-two candle-power.

It is further covenanted between the said parties of the first and second part:

1. The said party of the second part shall make arrangements with the turnpike trust for the erection of its poles on the roads of the trust.

2. In the event of the party of the second part having to erect poles on private property, it shall make arrangements with the respective owners of the same.

3. The said party of the second part shall be responsible for all accidents resulting from the construction or operation of such electric system and shall at all times hold the corporation harmless for all damages resulting from the said electric system.

4. The said party of the second part shall, in the exercise of the rights and powers hereby granted it by the party of the first part, respect the rights granted the Montreal Park and

Island Railway Company in connection with electric light if the latter company really has any rights.

5. The said party of the first part reserves to itself the right to grant similar permissions to any other company that might wish to supply light within the limits of the said municipality of the village of Sault-au-Récollet.

In consideration of the above, the said party of the second part undertakes to supply free of charge to the said party of the first part, thereof accepting, the necessary current for three sixteen candle-power electric lamps for lighting the council room and for the purposes of the council alone, as soon as the said transmission lines of the party of the second part shall be erected and so long as they are in operation.

Such are the covenants between the parties

WHEREOF ACTE ; done and passed at Montreal aforesaid under the number one thousand seven hundred and forty-two of the minutes of the undersigned notary.

And the parties of the first and second part have signed with us, the notary, these presents first duly read.

(Signed) ALPHONSE POITRAS, *Mayor*.

" J. A. CADIEUX, *Sec.-trms.*

" E. CHAMPAGNE,

" H. GOHIER, N. P.

True copy of the original hereof remaining of record in my office.

H. GOHIER, N. P.

X

PROVINCE OF QUEBEC, }  
District of Montreal. }

Municipality of the village of Saint Jean Baptiste de la Pointe-aux-Trembles.

At a general session of the municipal council of the municipality of the village of Saint Jean-Baptiste de la Pointe-aux-Trembles, held on Tuesday, at the usual place and hour, under the presidency of Mr. Achille Dubreuil, mayor, at which were present Councillors Chs. Laurion, Samuel Robert, Arsène Lacroix, Hypolite Benard, Léon Dozois, Ovila Chaput, the following by-law, hearing the number 6 of the by-laws of the said council, was adopted on motion of councillor Léon Dozois, seconded by councillor Ovila Chaput :

Whereas a written proposition has been made to this council

by the Saraguay Electric Light and Power Company, which substantially contains the following provisions :

1. To put in the necessary electric installation in the vicinity of the municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles, to light the latter.

2. To put up poles at the places indicated by the council within the limits of the municipality, to provide them with lamps and the necessary wires, without any charge whatever upon the said municipality.

3. To supply 16 candle-power lamps at \$10.00 per lamp and 32 candle-power lamps at \$20.00 per lamp, provided the municipality undertakes to assure it a minimum of 40 lamps of 16 candle-power and grants it exemption from taxation for 10 years.

Whereas it is in the interest of this municipality to enter into a contract with the said company with the view of carrying out the above and other propositions given below :

It is accordingly resolved as follows, to wit :

1. The said company above mentioned shall instal at Cartierville and operate at its own expense the electric machinery, dynamos, etc., in a word all the plant required to supply to the municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles and its inhabitants all the light they may wish to take.

2. Everything connected with the installation, both at Cartierville and along the way from Cartierville, St. Joseph de Bordeaux and in Ahuntsic, of such lighting system, such as wires, poles, electric lamps, reflectors, etc., etc., in a word all that shall be necessary for supplying the light as aforesaid, shall be at the expense of the said company, its successors and assigns, and shall be kept in good order and condition at its or their expense, without the said municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles having to pay for anything whatsoever (exhausted lamps of 16 or 32 candle-power shall be replaced by the company without expense to the municipality.)

3. The said company shall instal in the municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles at such places as may be indicated to it by the council of the said village, forty electric (40) lamps of sixteen (16) candle-power or an equivalent number of lamps of thirty-two (32) candle-power at the choice of the said council or any additional number of electric lamps required by the council, by giving the said company eight days' notice to put up such additional lamps.

Each and every of such lamps shall be placed at the height of from twelve to fifteen (12 to 15) feet and provided with reflectors called regulation reflector types ; and shall be

attached to the poles by iron rods of the required length so that the lamp will give the greatest possible light, according to the opinion of the engineer of the municipality ;

4. It is well understood that each and every of such lamps shall receive a minimum force of one hundred and four (104) volts, and if one or more of the said lamps be extinguished and remain extinguished owing to the breaking of the wire or poles for one or more evenings a discount in proportion to the period of time during which they shall remain so extinguished, shall be allowed to the said municipality ;

5. It is well understood that if the contracting company does not give good light and does not carry out its contract according to its tenor and the corporation has reason to complain of the said company for any cause whatsoever, the municipality shall have a right to put an end to the contract by giving a written notice of three months to the said company ;

6. It is well understood that the said company shall replace the poles whenever necessary, as well as all the materials or plant required for the operation of the electric light and motive power.

7. The light shall be supplied for lighting the streets by the said electric light company during the whole period of darkness counting from sunset to sunrise, (the company shall supply the electric current night and day for lighting houses) ; this shall comprise the whole period of darkness of the day, even in the winter time, during which period the electric light shall be supplied not later than four o'clock in the afternoon.

The company further undertakes to supply electric power to the corporation of the village of St. Jean-Baptiste de la Pointe-aux-Trembles and any inhabitant or company applying for the same, by meter at the rate of eight cents (8) per kilowatt hour, and one dollar per month for rent of meter. The consumer shall guarantee a minimum of thirty dollars (\$30.00) per annum per horse-power up to twenty horse-power, and eighteen dollars (\$18.00) per annum for each additional horse-power over twenty ; and shall be bound to pay such minimum even if he does not use the current represented by such minimum calculated at 8 cents per kilowatt hour.

*Fixed rates for ten hours' service*

\$75.00	per annum	per horse-power	from 1 to	5 h.-p.
\$65.00	"	"	"	5 to 10 "
\$60.00	"	"	"	10 to 15 "
\$55.00	"	"	"	15 to 30 "
\$50.00	"	"	"	of 30 h.-p. and over.

The motor shall be of a model accepted by the company.

The company shall supply the current at all times, night and day, provided it has contracts for at least 100 horse-power within the limits of the municipality ; in the event of the company not having yearly contracts for 100 horse-power, it shall supply the current as required by article 7 of this by-law ;

9. The company shall likewise supply the residents of the municipality applying for the same, electricity for lighting on the conditions set forth in the present by-law.

Should the municipality, during the continuance of this contract, wish to have arc lamps of 1,200 candle-power, the company shall supply the same at a maximum price of \$80.00 per lamp for the first ten lamps, \$75.00 for the next ten lamps, \$70.00 for the next ten after the above twenty and \$70.00 for all lamps over thirty.

The municipality shall also have the right to substitute arc lamps for the sixteen and thirty-two candle-power lights on giving written notice eight days beforehand, and this at the expense of the company.

The corporation shall keep the arc lamps at its expense until their number is at least fifteen and when the number of the arc lamps shall be fifteen and over, the maintenance of the lamps shall be at the expense of the company.

The company shall not charge a higher tariff than the following, to wit:

#### TARIFF FOR ELECTRIC LIGHT

##### *Street lighting*

Sixteen candle-power lamp, per annum.....	\$10.00
Thirty-two candle-power lamp, per annum.....	20.00
From sunset to sunrise.	

##### *Private lights*

For every sixteen candle-power lamp, three quarters of a cent per ampere hour of 50 volts, or fifty watt hours, plus twenty-five cents per month for rent of meter.

Discount of fifteen per cent on each month's account under a yearly contract. Discount of thirty-three and a third per cent on monthly accounts under three years' contract.

To be maintained at the charge of private individuals ; the current to be taken to the place where it enters the property.

Exhausted 16 candle-power lamps shall be replaced at the expense of the company.

10. The municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles shall pay to the said company for lighting

the said municipality for forty lamps above mentioned, the sum of ten dollars per lamp, or if the said municipality chooses thirty-two candle-power lamps, the rate shall be twenty dollars per lamp of thirty-two candle-power, payable every three months; the first payment shall commence three months after the said company shall have commenced to operate the light and shall have supplied the same as agreed upon with the said municipality and shall so continue until the 30th April, 1917.

And if the said corporation at any time during the continuance of this contract requires an additional number of lights, it shall pay to the said company a sum of ten dollars per light sixteen candle-power lamps and of twenty dollars per lamp of thirty-two candle-power.

11. The said company shall also have the right to supply electric light with its installation at Cartierville to the municipalities and rate-payers adjoining the municipality of St. Jean-Baptiste de la Pointe-aux-Trembles, and may place its wires on the poles which it shall use for lighting St. Jean-Baptiste de la Pointe-aux-Trembles, for the purpose of conveying the light to another municipality.

12. It is well understood that the said municipality shall have no other obligation towards the said company than that above mentioned to pay it a sum of ten dollars per lamp of sixteen candle-power and of twenty dollars per lamp of thirty-two candle-power.

13. The municipality hereby grants the said company exemption from taxation on the poles, buildings and all the plant it may have within the limits of the said municipality under the present contract and this during the whole duration of the present contract.

14. This by-law shall continue in such manner as to expire on the thirtieth of April 1907 and an exclusive privilege for such electric light is granted to the company for such period of time; but it is well understood that such privilege is granted by the municipality of the village of St. Jean-Baptiste de la Pointe-aux-Trembles only in so far as it is in its power to do so, and the said municipality does not guarantee the right, the existence or validity of such privilege. All that the municipality undertakes to do is not to grant the privileges to any other company during the duration of the said privilege hereby granted, and not itself to supply the streets and buildings with electric light but to take exclusively from the company all the electric light and power it may require, at the rates and conditions mentioned in the present by-law. And the said municipality grants to the company the privilege contained in article 639 of the Municipal Code respecting works

to be done for supplying light to the inhabitants of the said municipality.

The company shall instal its transmission lines with poles thirty and thirty-five feet long as it may deem expedient.

15. A contract shall be signed by the mayor and the company to carry out the present by-law and, from the moment the contract is signed, the said company shall have a delay of six months for the execution of the contract, and if it neglects to put the electric light system in operation in a thorough manner within a delay of six months, such contract shall be null and void and the company shall pay the said municipality the sum of \$500.00 as damages.

16. The said municipality shall incur no responsibility in consequence of the work done by the company for the installation of its electric light plant within the limits of the municipality, the company undertaking to take all proper precautions for the isolation of its electric wires, etc., and all disbursements, damages or indemnities resulting from accident shall be paid by the said company, the intention of the parties being that the said municipality shall be held harmless by the said company from all responsibilities whatsoever and for anything whatsoever.

17. The privileges and obligations of the company mentioned in this by-law shall apply to its successors and representatives, if necessary.

18. All the expenses occasioned by this by-law, for the cost of such light shall be paid out of public moneys levied by means of direct taxation for that purpose on all the taxable property of the said municipality.

19. The present by-law shall be published according to law and, as above stated, the mayor is authorized hereby to sign a contract with the company to carry out such by-law as soon as it comes into force and effect.

20. All sums of money due the company for light by private individuals or by the corporation shall be paid at the head office of the company within fifteen days after demand and if the consumer neglects to pay what he owes the company within such delay of fifteen days, he shall forfeit all right to the discount mentioned in article 9 of this by-law.

21. A special discount will be allowed all customers making a regular use of the light, under the following conditions: three quarters of a cent will be charged per ampere hour for every 16 candle-power lamp for the first hour and three-eighths of a cent per ampere hour for every additional hour on the monthly accounts.

This by-law shall come into force and have legal effect, fifteen days after its publication or promulgation.

In testimony whereof we have signed it at a special meeting held on the 26th March, 1907.

(Signed)    ACHILLE DUBREUIL, *Mayor*.  
              "        JOS. ED. CHARBONNEAU, *Sec.-treas.*

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## XI

On this thirtieth day of the month of November, in the year one thousand nine hundred and seven ;

BEFORE M<sup>RE</sup> HERCULE GOHIER, the undersigned notary for the Province of Quebec, residing in the town of St. Laurent, in the county of Jacques-Cartier, and practising in the city of Montreal, in the district of Montreal, said Province ;

### CAME AND APPEARED :

THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY, a company duly incorporated under the joint stock companies incorporation act of the Province of Quebec, having its principal office at Cartierville in said Province hereinafter called : " The Company " of the first part, herein acting by William Miller Ramsay, the president and Edmond Hurtubise, secretary-treasurer thereof, duly authorized by resolution of the board of directors dated the fifth day of November instant, 1907, and by a resolution of the shareholders of the company at their meeting held on the eleventh day of November instant, 1907, copy of which resolutions are hereto annexed and are signed by the undersigned notary, *ne varietur* ;

### AND

THE CORPORATION OF THE VILLAGE OF CARTIERVILLE, a body politic constituted under the provisions of the Municipal Code having its office in the said village of Cartierville, P. Q., hereinafter called : " The Corporation " of the second part, herein acting by Felix Plouffe, mayor, and Louis Boyer, secretary-treasurer duly authorized by by-law, No. 14 of the council of the said corporation passed by the municipal council of the corporation on the eighth day of July, last 1907, copy of which is hereto annexed and is signed by the undersigned notary, *ne varietur* ;



## AND

THE NATIONAL TRUST COMPANY, LIMITED, a company duly incorporated under the laws of the Province of Ontario, having its principal office in the city of Toronto, and having an office also in the city of Montreal, hereinafter called: "The Trustee", of the third part, herein acting by Andrew Guy Ross, its local manager for the said city of Montreal, duly authorized thereto by resolution passed by the board of directors thereof at its meeting on the sixth of November instant, copy of which resolution is hereto annexed and is signed by the undersigned notary *ne varietur*, which parties have declared to me, notary :

Whereas, the board of directors of the company has passed a by-law on the fifth day of November, 1907, authorizing the issue of debentures not exceeding in the aggregate at any one time the sum of thirty thousand dollars for the purpose of meeting the expense incurred and to be incurred in extending and developing the company's works as more fully set forth in said by-law which was duly approved and sanctioned by resolution of more than two-thirds of the shareholders of the company present at a meeting specially convened for that purpose and held on the 11th November, 1907, at the head office of the company, at Cartierville, duly certified copies of said by-law and of the said resolution of the shareholders being hereto annexed.

And whereas the corporation has been authorized to guarantee the said debentures by by-law of its council bearing No. 14, passed on the eighth day of July, last, approved by the majority in number and value of the municipal electors, who are proprietors of taxable real estate, on the 3rd August last, and sanctioned by the Lieutenant-Governor in Council, on the 7th September, last, and has agreed to guarantee the said debentures in capital and interest in order to assist in the construction by the company of public works in the village of Cartierville, and the neighborhood, and other considerations more fully set forth in said by-law.

And whereas the present deed conforms in all respects to the draft deed produced at the meeting of the directors of the company held on the nineteenth day of November, 1907, and referred to in the resolution passed at said meeting, a duly certified copy of which is hereto annexed.

And whereas the by-law of the company authorizing said issue of debentures makes provisions for the nomination of a trustee and the execution of a trust deed.

Now therefore these presents and I, the said notary, witness:

1. That the total amount of the issue of debentures hereby secured is thirty thousand dollars (\$30,000.00) in sixty de-

bentures of five hundred dollars (\$500.00) each, all of even date herewith, and which debentures are substantially in the following form:

DOMINION OF CANADA, }  
PROVINCE OF QUEBEC. }

\$500.00,

No.

# THE SARAGUAY ELECTRIC LIGHT AND POWER COMPANY

## 5 PER CENT FIRST MORTGAGE GOLD BOND

Guaranteed by the corporation of the village of Cartierville.

The Saraguay Electric Light & Power Company, a corporation incorporated under the joint stock companies' incorporation act, of the Province of Quebec, in the Dominion of Canada, hereinafter, called : " The Company," for value received, hereby promises to pay to the bearer hereof the sum of five hundred dollars on the first day of November, nineteen hundred and thirty-seven, with interest thereon at the rate of five per centum per annum, payable semi-annually on the first days of May and November of each year, on surrender of the annexed coupons as they severally become due, both principal and interest payable in gold coin of or equal to the present standard of weight and fineness of the Dominion of Canada, at the office of The Molson's Bank, in the city of Montreal, Province of Quebec, and without any deduction from either principal or interest for any tax or taxes which the company may be entitled or required to pay or retain therefrom under or by reason of any present or future law of the Dominion of Canada or any Province or municipality thereof.

The company reserves the right to redeem this debenture at any time at a premium of five per centum and accrued interest upon notice given to that effect as provided by the deed of trust.

This debenture is one of a series numbered consecutively from one to sixty, both numbers inclusive, the total amount at any one time not to exceed in the aggregate thirty thousand dollars, all of like amount, tenor and effect with this debenture. Both principal and interest of the said debentures are equally secured by, and the said debentures are subject to all the provisions of the deed of trust executed at Montreal, before H. Gohier, notary public, bearing date the thirtieth day of November, nineteen hundred and seven, made by the company to the National Trust Company, Limited, as trustee, to which the corporation of the village of Carterville has in-

tervened guaranteeing the payment of the said debentures in capital and interest.

This debenture shall not be valid for any purpose until the certificate of the trustee and the guarantee of the corporation of the village of Cartierville hereon endorsed shall have been signed by the said trustee and the said corporation.

In witness whereof the company has caused this debenture to be signed by its president and secretary-treasurer and its corporate seal to be affixed this sixth day of December, nineteen hundred and seven, and the engraved *fac-simile* of the signature of the secretary to be placed upon each of the coupons annexed.

THE SARAGUAY ELECTRIC LIGHT & POWER  
COMPANY

{L. S.]

By

*President,*  
*Secretary-Treasurer.*

2. Each of the said debentures shall have annexed thereto a coupon for each half-yearly instalment of interest in the form and to the effect following, namely :

The Saraguay Electric Light & Power Company, will pay to bearer on the first day of twelve dollars and fifty cents in gold coin of the present standard of weight and fineness of the Dominion of Canada, at the office of the Molson's Bank being half-yearly interest on bond number                      Coupon No.

EDMOND HURTUBISE,  
*Secretary-Treasurer.*

3. Upon each of the said debentures shall be a certificate in the form or to the effect following, to wit :

The National Trust Company, Limited, hereby certifies that this bond is one of the series of debentures referred to in the Trust Deed within mentioned.

*The National Trust Company, Limited, Trustee.*

*By*

4. Upon each of the debentures shall be a guarantee in the form or to the following effect, to wit : Under the provisions of by-law number fourteen, payment of the principal sum and interest thereon secured by the within debenture is hereby guaranteed by the corporation of the village of Cartierville.

## THE CORPORATION OF THE VILLAGE OF CARTIERVILLE

By

*Mayor,  
Secretary-Treasurer.*

5. To secure the payment of the said debentures in capital and interest and in consideration of the premises and of the sum of one dollar to the company paid by the trustee, the receipt whereof is acknowledged, the company hereby grants, bargains, sells and transfers, mortgages and hypothecates unto the trustee and its successors in the trust for the benefit of the holders of the said debentures and each of them without preference or priority of any one over any other debentures by reason of priority in the issue thereof or otherwise howsoever, and all and singular the assets and properties, real and personal, moveable and immoveable, rights, franchises, contracts, claims and privileges, now owned or which may hereafter be acquired by the company.

6. For greater certainty, but without limiting the generality of the above description, the company hereby grants, bargains, sells, and transfers, mortgages and hypothecates unto the trustee and its successors in the trust the following property, to wit :

10. An emplacement in the village of Cartierville being part of lot number twenty-four No. 24, of the cadastre of the parish of St. Laurent, in the county of Jacques-Cartier, bounded in front by the Chemin du Sault, in rear by river des Prairies, to the south-west, parts of said lot belonging to J. C. Percival, or representatives, and to the north-east by another part of said lot belonging to the widow of Antoine Thauvette, said emplacement measuring eighty-eight feet, French measure in width, together with all the buildings, water intake, transmission lines, posts and other appliances and the buildings constructed or erected thereon and the engines, boilers, dynamos, pumps, and other machineries, appliances and tools, etc., installed or placed therein forming the pumping station and electric light and power plant of the company, the said emplacement subject to a servitude in favor of the corporation of the village of Cartierville to maintain thereon a septic tank and sewer as per deed passed before H. Gohier, N. P., dated the 31st December, 1906.

20. An aqueduct, nearing completion, in the village of Cartierville and extending along the main road from the limits of the village of Bordeaux, to opposite cadastral lot No. 87, along the whole of Gilbert or Falbord street and along the whole road of St. Laurent road within the limits of the said village, together with all the pipes, hydrants, valves

connections, etc., forming part thereof, all future extensions of the said aqueduct and the twenty-five years exclusive franchise granted by the corporation of the village of Cartierville, with exemption from taxation as per deed before H. Gohier, N. P., dated 31st December, nineteen hundred and six.

30. An electric light and power transmission line comprising right of way, poles, wires, transformers, switches, etc., along the roads of the village of Cartierville together with all future extensions thereof and the fifteen years exclusive franchise granted to the said village with exemption from taxation as per deed before H. Gohier, N. P., dated ninth October, nineteen hundred and six.

40. An electric light and power transmission line comprising right of way, poles, wires, transformers, etc., along the roads and streets of the town of St. Laurent together with all future extensions thereof and the twenty-five years exclusive franchise granted with exemption from taxation as per deed passed before H. Gohier, N. P., dated twenty-sixth of September, nineteen hundred and seven.

50. Another like transmission line and its appurtenances along the roads and streets of the town of Bordeaux together with all future extensions thereof and the twenty-four years exclusive franchise, bearing the exemption from taxation granted by said town as per deed before C. Paquet, N. P., bearing date of the twenty-second of March, nineteen hundred and six.

60. Another like transmission line and its appurtenances along the roads and streets of the village of Ahuntsic, together with all future extensions thereof and the twenty-five years exclusive franchise granted with exemption from taxation by the said village as per deed before J. A. Ogden, N. P. dated the third December, nineteen hundred and six.

70. Another like transmission line and its appurtenance along the roads and streets of the town of Notre Dame de Grâces, together with all future extensions thereof and the ten years franchise granted by the said town as per deed before E. R. Decary, N. P., dated the fourteenth of May, 1907,

80. The rights of way for ten years for electric light and power supply along the roads and within the limits of the village of Sault au Recollet and the village of Pointe-aux-Trembles granted by the former per deed before H. Gohier, N. P., dated the 19th November, nineteen hundred and seven, and by the latter by by-law passed on the twenty-sixth of March, nineteen hundred and seven,

90. The right of way for an electric light and power transmission line throughout the whole length of lots numbers

two hundred and forty-two and twenty-six, No. 242 and 26 of the cadastre of the parish of St. Laurent, said county, extending from the Chemin du Sault in the village of Cartierville, to the Côte Vertu Road, in the town of St. Laurent, as per concession granted by Hormidas Meunier, before H. Gohier, N. P., on the third October, nineteen hundred and five and the transmission line and its appurtenances erected and equipped throughout the length of said lot over said right of way.

10o. The right of way for an electric light and power transmission line across the bridge of the Isle Jesus Turnpike Trust, between the village of Ahuntsic and St. Vincent de Paul granted as per deed before H. Gohier, N. P., dated eleventh May, nineteen hundred and seven, the right of way for such line over the yard of the Canadian Pacific Railway, at Bordeaux, as per agreement dated the second January, nineteen hundred and six and the right of way for such a line along the St. Laurent road of the Montreal Turnpike Trust, granted by deed before Victor Morin, N. P., on the fourth October, nineteen hundred and five and along the roads of the said trust in the town of Côte des Neiges and in the town of Notre Dame de Grâces, as per agreement between the parties, together with the transmission lines and appurtenances thereof erected and constructed and to be erected and constructed over said rights of way.

All the transmission lines above mentioned actually constructed and erected forming a total length of about thirty miles.

11o. The contract for pumping the water supply of the town of St. Laurent and supplying it with electric light for public purposes at a minimum price of \$2500.00 per annum as per deed before C. S. Tassé, N. P., dated twenty-ninth of November, nineteen hundred and five.

12o. The contract for street lighting of the town of Bordeaux at a minimum price of \$10 per lamp per annum, as per deed before C. Paquet, N. P., dated 22nd March, 1906.

13o. A like contract providing for the supply of electric power passed with the village of Ahuntsic, at a minimum price of \$900.00 per annum as per deed before J. A. Ogden, N. P., dated third December, 1906.

14o. A like contract with the town of Notre Dame de Grâces at a minimum price of \$2,500.00 per annum passed before E. R. Decary, N. P., dated 14th May, 1907.

15o. Contracts passed with the village of Cartierville, for street lighting at a minimum price of \$10.00 per lamp per annum, and for electric power and public water supply at \$15.00 per hydrant per annum, as per deed before H. Gohier, N. P.

dated ninth October, nineteen hundred and six and thirty-first December, nineteen hundred and six respectively.

7. If any debenture or coupon shall be lost, mutilated or destroyed, the company may, with the approval of the trustee and upon such terms as to indemnity or otherwise as may be imposed, cause to be issued and certified a new debenture or coupon of like tenor and date and bearing the same serial number as the debenture or coupon so mutilated, lost or destroyed and which debenture or coupon shall be secured hereby.

8. All or any of the debentures of this series may be issued absolutely or may be issued, pledged or otherwise charged as security for advances to or other indebtedness of the company, and when redelivered to the company and while it remains entitled thereto shall be treated as unissued debentures of this series and accordingly may be, from time to time, issued or reissued as the company may see fit, or cancelled and fresh debentures issued in lieu thereof, and all such debentures shall from time to time, rank as debentures of this series and shall be secured hereby and shall be subject to and entitled to the benefit of all the terms, conditions, rights and privileges hereby attached to or conferred on debentures of this series.

9. The company covenants and undertakes to execute such deeds of transfer or conveyance as may be necessary in the opinion of the legal advisers of the trustee, from time to time, to vest in the trustee any parts of the mortgaged premises hereinbefore agreed to be conveyed to the trustee which may hereafter be acquired by the company.

10. The company further covenants and undertakes to and with the trustee and its successors in the trust to carry on and conduct its business in a proper and efficient manner, to keep proper books of account open at all reasonable times to the inspection of the trustee or such person or persons as it may by writing appoint, and to give at all reasonable times to the trustee such information respecting its business as the trustee may reasonably require including a yearly statement of its affairs, and further to furnish to the trustee on demand a list of the contracts between the company and any and all of its consumers with such particulars of the contracts or copies as the trustee may require, and if required to transfer or to assign any or all such contracts or the benefit thereof to the trustee.

11. The company further covenants and agrees that it will keep constantly insured that portion of the mortgaged premises which is of an insurable nature against loss or damage by fire for as much as the same can be insured up to the full insurable value thereof in insurance companies acceptable to the trustee, and will make the insurance moneys payable to the trustee, and will exhibit to the trustee the renewal receipts of every

policy at least five days before any premium becomes due, failing which the trustee may effect such insurance and recover forthwith from the company the amount of the premium paid with the interest thereon, at six per cent per annum.

12. The company further covenants and agrees that it will pay as and when the same may become due all taxes and charges of every kind that may be levied or imposed upon the company or due in respect to the mortgaged premises at all times free from any liens or encumbrances entitled to priority over this mortgage failing which the trustee may pay (but shall not be bound to do so) such taxes and charges and forthwith recover from the company the amount paid with interest at six per centum per annum from date of payment.

13. The company further covenants and agrees to repair and keep in repair and in good working order, and maintain up to a modern standard of usage all buildings, machinery and plant comprised in the mortgaged premises and whenever necessary to renew and replace all and any of the same which may become destroyed or become worn or unserviceable and at all reasonable times to allow the trustee or its representatives access to the mortgaged premises for the purpose of ascertaining their state and condition ; and in the event of the company's failure to so repair, maintain and renew after such notice as the company may think reasonable, the trustee may in its discretion so repair, replace or renew, and all sums expended by the trustee for any of the purposes aforesaid shall be repayable on demand with interest at the rate of six per centum per annum from the date of expenditure, and the company further covenants and agrees to preserve all its franchise rights.

14. The mortgaged premises hereby conveyed or agreed to be conveyed, are or will be conveyed to the trustee to have, hold, receive and enjoy upon the trusts and conditions herein-after declared.

15. These presents are made upon the express conditions and provisions that if the company truly pays to the holders of the said debentures the amount of such debentures and coupons as the same become payable or redeemable and pays all rates, taxes and charges whatsoever upon the mortgaged premises transferred or to be transferred, and otherwise performs all the covenants herein contained, then these presents shall cease and become null and void and the mortgaged premises shall revert to and revest in the company without any release or reconveyance or other act of formality whatsoever, and the trustee in such case upon proof being given to its reasonable satisfaction shall on the demand of the company and at its cost and expense, cause to be registered a discharge and acquittance of this mortgage and execute such other convey-



ances and releases of the mortgaged premises as the company may reasonably require.

16. Until default shall be made in the payment of the said debentures or interest thereon, or until default shall be made in respect of something herein required to be done or kept by the company, the company shall, subject to the terms hereof, be permitted to possess, operate, manage and use the premises above mortgaged and transferred, and to take, possess and enjoy the rents, incomes and profits thereof to the same extent as if these presents had not been executed, and further the company may so long as it is not in default as above, sell to users of power motors owned by the company and placed on the premises of such users of power, and may make, from time to time, all necessary changes in its plant, machinery and apparatus, and sell any plant, machinery or apparatus which has become worn out or useless, provided the same is replaced by new plant, machinery or apparatus in conformity with requirements of the business of the company, and the company may also sell and dispose of any apparatus which it may make or have for purpose of sale and also any by-products arising from any business carried on by it.

17. In case the company shall fail to pay any of the coupons or any of them according to the tenor thereof, or become insolvent or go into liquidation either voluntary or forced, or permit any process of execution to be levied or enforced against any of its property, or if the company shall fail faithfully to observe and perform any of the covenants or requirements of these presents, and such default or failure shall continue for the space of thirty days after written notice thereof given by the trustee to the company, the whole of the principal of said bonds and unpaid interest shall upon a declaration of the trustee to that effect, become immediately due and payable, but such declaration shall not be made unless a majority in interest of the holders of debentures outstanding so require by instrument in writing under their hands or by vote at a meeting duly held as hereinafter provided. Provided, however, that such majority as aforesaid shall have the power to cancel any declaration already made to that effect or to waive the right so to declare on such terms and conditions as such majority in interest shall prescribe. Provided always that no act or omission either of the trustee or of the debenture holders shall extend to or be taken in any manner whatsoever to effect any subsequent default or the rights resulting therefrom.

18. In case of default or failure as aforesaid under any of the terms of this deed or to pay the debentures or any of them or any interest thereon when they fall due or become payable, the trustee may, after thirty days' notice as aforesaid, enter upon and take possession of any of the mortgaged premises

conveyed or to be conveyed, and operate and manage either itself or by agents appointed for the purpose, the property and business of the company collecting all the revenues, issues and profits until the net earnings and profits, after the payment of all reasonable and just charges and expenses of the trustee, its agents and attorneys, shall have been sufficient to repair and make good the defaults of the company under these presents.

19. In case of said default and failure as above mentioned, the trustee may also, with or without taking possession of the mortgaged premises, transferred or to be transferred, proceed to sell and dispose of the same by one or several successive sales or such portions thereof as the trustee may deem necessary at public auction or private sale, at such price and upon such terms of payment and conditions as the trustee may think proper after having given such notice of the time and place of such sale or sales as it may think proper.

20. The trustee is hereby authorized and empowered to grant and sign valid deeds of sale and transfer of the subject matter of the sale made as aforesaid ; and for that purpose its agents and attorneys are hereby constituted irrevocably the attorneys of the company ; and any such sale so made as aforesaid shall be a perpetual bar both in law and equity and prevent all other persons claiming by, through or under it from claiming the subject matter of this sale or any intended interest therein. And the receipt of the trustee for all moneys paid to it shall effectually discharge the purchaser paying the same who shall not be held to enquire whether or not the proper notice has been given or the other provisions hereof complied with.

21. The trustee shall not be bound to do or take any act or action in virtue of the powers conferred or obligations imposed on it hereunder unless and until it has been required to do so by writing signed by holders of debentures forming at least one-fourth in interest of the then outstanding debentures and until indemnified to its satisfaction.

22. All amounts expended by or due to the trustee shall constitute a privileged charge upon the mortgaged premises transferred or to be transferred, and the company shall repay them on demand.

23. All moneys received by the trustee from insurance or upon releases of property which it may grant in accordance with its powers hereunder, shall be held and invested by it as security for the debentures secured hereby, subject to the right of the company, upon its written requisition authorized by a resolution of its board of directors, and upon such resolution the trustee may rely absolutely and shall not be responsible for the application of any moneys paid thereunder to the company to receive from the trustee and to apply any such moneys or the income thereof, held by the trustee, to repairing, building,

or constructing, re-building, reconstructing or purchasing and placing upon the property mortgaged hereunder any buildings, machinery, fixtures or other improvements or to have the same employed in the payment of any debentures which may be then redeemable, but no such application of such moneys shall be made by the company at any time when the company is in default hereunder or when the trustee is in possession of the mortgaged premises or any part thereof under the right of entry hereinafter provided, without the written concurrence of the holders of a majority in value of the bonds outstanding. In no case shall the receipt of any moneys for insurance or release of the mortgaged premises be deemed to be a payment on account of the bonds secured hereunder nor shall the mortgages be lessened, novated or in any other way interfered with by reason of any such receipt, any law, usage or custom to the contrary notwithstanding.

24. The trustee shall hold the moneys to arise from any sale or realization of the whole or any part of the mortgaged premises or any other security to which it may be entitled, upon trust that it shall thereout, in the first place, pay or retain the costs, charges and expenses incurred in or about the execution of the trust or otherwise in relation to the presents and shall apply the residue of the said moneys :

a. In or towards the payment to the holders of the debentures *pari passu* in proportion to the amount due to them respectively, and without any preference or priority whatsoever of all arrears of interest remaining unpaid on such bonds.

b. In or towards payment to the holders of the debentures *pari passu* in proportion to the amount due to them respectively, and without any preference or priority or otherwise howsoever, of all principal and other moneys then due on such debentures, and the debenture holders shall be bound to accept such payments whether such principal and other moneys shall or shall not be payable according to the tenor of said debentures or of these presents ; and

c. The trustee shall pay the surplus, if any, of such moneys to the company or its assigns.

25. Meetings of the debenture holders under this deed may be called in such manner as may be fixed by regulations prescribed by the debenture holders and the debenture holders may vote at such meetings personally or by proxy and the quorum may be defined and such other regulations or by-laws in respect of such meetings may be, from time to time, established, altered or repealed by the debenture holders acting by the majority in interest as they shall deem expedient and whenever and as often as any contingencies shall arise in which the action of the holders of the debentures secured hereby shall

be necessary or useful, the trustee is hereby authorized and directed to call a meeting of the debenture holders to be held in the city of Montreal and in the absence of any regulations as to the notice to be given, such notice shall be given by advertisements in one French and one English newspaper of the city of Montreal, to be published three times during the two weeks preceding the meeting, the costs of said notice to be a liability of the company and a privileged charge against the trust funds, and in default of such meeting being called by the trustee within eight days after notification to them in writing by any debenture holders of the necessity therefor or in case the trust shall be vacant, then it shall be competent for any holder or holders of such debentures to the amount of one-fifth of the total outstanding to call such meeting as above. Until otherwise provided a majority in interest of the holders of debentures outstanding for the time being shall constitute a quorum at such meetings. At any meeting of the debenture holders the respective bearers of debentures, shall be exclusively entitled to take part in the meeting or vote in respect of such debentures thereat.

26. No action or proceedings shall be taken by any of the debenture holders until the trustee has refused to act after being required to do so in conformity with these presents.

27. The trustee may at any time, by instrument in writing only, waive upon such terms and conditions as it may deem expedient any breach by the company of any covenants in the present deed contained other than the covenants to pay principal and interest, and a majority in interest of the holders of all the debentures aforesaid which may be then outstanding and upon which default in the payment of interest shall have been made and shall be continuing, shall have power by an instrument in writing under their hands or by the affirmative vote of such majority at a meeting duly convened and held as herein provided, to instruct the trustee to waive and the trustee shall thereupon waive such default or such rights of enforcement of the security hereunder or a default in payment of any instalment of interest on any of said debentures on such terms and conditions as such majority shall prescribe, provided always that no act or omission either of the trustee or of the debenture holders in the premises shall extend to or be taken in any manner whatsoever to effect any subsequent default of the rights resulting therefrom.

28. The company shall have the right at any time to redeem all the debentures outstanding before the date fixed for the payment of the same at one hundred and five dollars for each hundred dollars principal so redeemed and interest.

In such event the company shall give notice of its intention to redeem in writing to the trustee and shall cause the said

notice to be published during five days in one French and one English daily newspaper of the city of Montreal, and the interest upon said debentures shall cease on the date of maturity of the first coupon falling due after the last publication of said notice ; provided such date of maturity be not less than thirty days after such publication, and provided also that the company do not make default in payment.

29. Should the company fail to pay the debentures or any of them when due, or should the principal of the said debentures become due before the time fixed in the debentures for the payment thereof, through default of the company as herein provided, in such case the company shall and will pay forthwith to the trustee on demand for the benefit of the holders of the debentures secured hereby, the principal and interest due upon all the debentures then outstanding, and such payment when made shall be deemed to be made on such debentures or coupons, and any moneys so received by the trustee shall be applied in the same manner as if they were proceeds of the sale of the mortgaged premises.

30. No remedy herein conferred upon or reserved to the trustee or to the holders of debentures hereby secured, is intended to be exclusive of any other remedy, but each and every such remedy shall be cumulative and in addition to every other remedy given hereunder or now existing or hereafter to exist by law or statute.

31. In case the office of trustee become vacant by resignation or for any other reason, such vacancy shall be filled by a resolution passed by a majority in interest of the holders of debentures outstanding, who may be present and vote at a meeting called for the purpose ; failing an appointment as aforesaid within one month from the date on which the vacancy occurs the vacancy may if the company be not in default be filled by a resolution of the board of directors of the company, and if the board failed to make such appointment within two weeks from the date at which they may first have authority to act or if the company be in default and at any time in case there be urgent need therefor, the vacancy may be filled by a judge of the Superior Court, Montreal, on the application of any debenture holder after such notice to the company and to the other debenture holders as such judge may deem necessary ; provided always that it shall be lawful for a majority in interest of the debenture holders at a meeting called for the purpose, at any time either before or after default to replace the trustee or trustees at any time acting hereunder by such other trustee or trustees as they may select. The trustee or trustees appointed to replace the present trustee shall by the mere fact of their appointment and without formal conveyance, have all the rights, powers and

privileges conferred upon the original trustee, and if there be more than one, all their powers may be exercised at any time by a majority. If for any reason it becomes necessary or expedient to execute any further conveyance or assurance, the same shall be executed at the expense of the company and may and shall be legally executed by the former trustee or trustees.

32. And seeing several of the municipalities who have entered into agreements with and granted franchises to the company have under the said agreements a right of buying out in whole or part the property, plant, aqueduct and transmission lines of the company it is understood and agreed that in the event of any of the said municipalities exercising the said rights, the price or compensation then payable, shall be paid whether the company is in default or not to the trustees who are hereby empowered to give any of the said municipalities a legal and valid discharge and transfer and are hereby constituted the irrevocable attorneys of the company for these purposes. And in such case the moneys so received shall be used to redeem such debentures, the holders whereof may consent thereto or invested by the trustees in the manner provided by law for the investment of trust funds and finally used in paying in due course the said debentures in capital and interest unless the majority in value of the holders of debentures then outstanding and the guarantor of the debentures consent to the said moneys being paid over in whole or in part to the company to be used by the company in the acquiring in such manner that it will pass under the lien and operation of these presents, further real estate or other property or in the improvement of the mortgaged premises.

33. The company shall from time to time and at all times hereafter well and truly defend and keep harmless and fully indemnified the corporation against all loss, costs, charges, damages and expenses which the corporation may at any time or times hereafter bear, sustain, or be put to for, by reason or on account of the company failing to pay the said coupons and debentures or any of them.

34. In the event of the corporation under the terms of its guarantee paying the interest coupons upon such debentures or any of them, or paying the said debentures themselves or any of them, the corporation shall be subrogated to all the rights of the holders of such coupons and debentures so paid by the corporation, and the corporation shall in such event be deemed to be purchasers of such coupons and debentures so paid and shall have all the rights and remedies which are provided in this instrument for the protection of original holders of such debentures, and the trustee shall in such event

be deemed to be the trustee for the corporation in respect of the coupons and debentures so paid by the corporation, and may be called upon by the corporation to exercise and shall then exercise all the powers and remedies herein provided in the event of any default in payment of the part of the company so as to fully secure payment and recoupment to the corporation of any and all coupons and debentures paid by it under the terms of the said guarantee, and the trustee shall in such event and upon being requested so to do, have the right to apply to a court of competent jurisdiction for and to secure the appointment of a receiver of the undertaking, assets and revenues of the company.

35. And the corporation of the village of Cartierville pursuant to the authority herein recited hereby guarantees the payment of the said debentures in capital and interest according to the terms thereof and accepts the terms of these presents.

36. *a.* Nothing in the present deed shall be construed as obliging the trustee to effect or maintain insurance against fire, nor shall it be responsible for any loss by reason of want or insufficiency of insurance.

*b.* The trustee shall not be responsible or liable otherwise than as trustee for any debts incurred by it, or for any damage to persons or property, or for salaries or non-fulfilment of contracts during any period wherein the trustee shall manage the trust property or premises upon entry or voluntary surrender as herein provided.

*c.* And the trustee shall not be bound to see to the doing observance or performance by the company of any of the obligations hereby imposed on the company, or in any way to supervise or interfere with the conduct of the company's business unless and until the company is in default as herein provided and the trustee has determined or been required by the debenture holders as herein provided, to enforce the same, and is kept supplied with the moneys reasonably necessary to enable the trustee to take the required action, and with sufficient bonds of indemnity satisfactory to the trustee to protect and save harmless the trustee against loss or damage by reason thereof.

*d.* It is distinctly understood and agreed that the trustee is not to be liable for or by reason of any failure or defect of title to or for any encumbrance upon mortgaged premises, or for or by reason of the statement of facts or recitals in this deed or in the debentures contained, or to be required to verify the same, but all such statements and recitals are and shall be deemed to have been made by the company only; and it is hereby declared and agreed by and between the parties hereto, as a condition upon which the trustee has entered

into these presents and accepted the trusts hereby created that nothing herein contained shall in any wise cast any obligation upon the trustee to see to the registering or filing of or to make, register, file or renew this or any deed or writing by way of mortgage or otherwise from the company, upon or of said mortgaged premises or upon any portion thereof, or upon any other property of the company in order to add to the security hereby intended to be given; nor shall it be the duty of the trustee to register or record this deed as a mortgage or otherwise or to procure any further, other or additional instrument of further assurance or to do any other act or thing for the continuance of the lien thereof or for giving notice of the existence of such lien or for extending or supplementing the same.

37. Without prejudice to the right of indemnity given by law to the trustees, the trustee and every receiver, attorney, manager, agent, accountant, inspector, clerk, servant, workman or other persons appointed by the trustee hereunder, shall be entitled to be indemnified out of the mortgaged premises in respect of all liabilities and expenses incurred by it, them or him in the execution or purported execution of the trusts hereof, or of any powers, authorities or discretions vested in it, them or him pursuant to these presents, and against all actions, proceedings costs, claims and demands in respect of any matter or thing done or omitted, in anywise relating to the premises and the trustee may retain and pay out of any money in its hands arising from the trusts of these presents the amount of any such moneys and also the remuneration of the trustee as herein provided.

And the trustee hereinbefore named, accepts the trust in these presents declared and provided and agrees to perform the same upon the terms and conditions hereinbefore set forth.

Whereof acte, done and passed in the said city of Montreal, under the number one thousand seven hundred and forty-eight of the notarial deeds of the undersigned notary.

And after due reading hereof the said parties signed with the undersigned notary.

(Signed)	FELIX PLOUFFE, <i>mayor</i> ,
"	LOUIS BOYER, <i>sec.-treasurer</i> .
"	A. G. ROSS,
"	EDMOND HURTUBISE,
"	W. M. RAMSAY,
"	H. GOHIER, N.P.

True copy of the original hereof remaining of record in our office.

H. GOHIER, N.P.



BY-LAW, NO. 22.

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Authorising the issue of debentures to the amount of thirty thousand dollars (\$30,000.00) at 5% upon debentures to be guaranteed by the village of Cartierville.

Whereas more capital is required to extend and develop the business of The Saraguay Electric Light & Power Company;

Whereas it is more advantageous for the shareholders of the company that the said capital should be procured by a long term loan instead of by the issue of stock;

Whereas the company has enlarged its premises in the village of Cartierville, constructed a new water intake and installed a new engine and electric generator thereon and extended its electric transmission lines in the said village and the neighborhood and is actually constructing an aqueduct in the said village and extending its electric transmission lines thereon and in the neighborhood;

Whereas the said works have been done or begun with money borrowed on notes and whereas to reimburse the moneys so borrowed and meet the costs of completing them, it is necessary to borrow a sum of about thirty thousand dollars (\$30,000.00);

Whereas \$30,000.00 is less than two-thirds ( $\frac{2}{3}$ ) of the value of the company's immoveable property which stands at \$153,974.00, as per valuation of Clarence W. Henderson, of the city of Montreal, electrical engineer, as appears by his certificate to that effect hereto annexed after being approved and signed by the president and secretary of the company for identification;

Whereas in order to assist in the construction by the company of public works in the village of Cartierville and the neighborhood to wit, in the construction of an aqueduct, drains, and an electric light and power plant for which agreements have been entered into by the company and the corporation of said village, by deeds passed before H. Gohier, N. P., under dates of the 31st December, 1906, 18th May, 1907 and 9th October 1906, respectively, and in consideration of the free supply of thirty electric lights of sixteen candle power or the equivalent thereof for street lighting purposes, the corporation of the said village of Cartierville has agreed to guarantee an issue of thirty thousand dollars (\$30,000.00) of debentures by the company, bearing five per cent (5%) interest and payable in thirty years, the whole by by-law bearing No. 14, passed by the council of the said village of Cartierville, on the 2nd of July last, approved by the municipal electors on the 3rd of August last, and sanctioned by

the Lieutenant-Governor in Council, on the 7th of September last;

Whereas it may be necessary or advantageous to redeem the said debentures before maturity.

Therefore the directors of the *Saraguay Electric Light & Power Company* in meeting duly convened and assembled for the purpose of passing the present by-law, enact as follows :

1. The company may and shall in order to raise money for the purposes above mentioned, create and issue first mortgage debentures not exceeding in the aggregate at any one time thirty thousand dollars, bearing five per cent (5%) interest, payable semi-annually on the first of May, and November in each year.

2. The said debentures shall be of the denomination of five hundred dollars (\$500.00) each and numbered from one to sixty inclusively, and dated 1st November, 1907, and there shall be attached thereto coupons bearing the number of the debenture to which they are so attached, to represent each and every payment of interest.

3. They shall be made payable in capital and interest to bearer at such place in the city of Montreal, as the directors may determine.

4. The capital of the said debentures shall be payable in thirty years from their dates, but the right shall be reserved to the company to redeem them upon resolution of the board of directors to that effect at any time at a premium of five per centum. In such a case notice of such redemption shall be given in writing to the trustee for the debenture holders and published during five days in one French and one English daily newspaper of the city of Montreal and the interest upon said debentures shall cease on the date of maturity of the first coupon falling due after the last publication of said notice provided such date of maturity be less than thirty days after such publication, and also provided that the company do not make default in payment.

5. That the said debentures shall be signed by the president or vice-president and the secretary-treasurer of the company, and shall have the corporate seal of the company affixed thereto and the coupons shall bear the lithographed signature of the secretary-treasurer. They shall moreover bear an endorsement by the trustee for the debenture holders, establishing the fact that they are the debentures secured by the trust deed hereafter mentioned, and the aforesaid guarantee of the corporation of the village of Cartierville.

6. The said debentures as far as recital of facts and form are not herein specially covered, shall be drawn as may be determined by the directors.

7. And further for the purposes of securing the payment of said bonds and interest coupons and the sums of money therein named at the maturity thereof, the president or one of the vice-presidents and secretary-treasurer of this company be, and they are hereby authorized and directed to cause to be prepared a proper deed of trust, and to execute and duly acknowledge the same, conveying to and hypothecating in favor of a trustee or trustees for the debenture holders to be selected by the directors as trustee, all or any portion of, as may be determined by the directors, works, lands, buildings, and water-power, franchises, easements, rights, and privileges, rents, revenues, incomes, extensions, additions, improvements and property of every kind, name and description of the *Saraguay Electric Light and Power Company* now held or that shall or may hereafter be constructed, acquired or held, together with all and singular the hereditaments and appurtenances thereto belonging or in any wise appertaining, which deed of trust shall be in such form and contain such covenants, conditions, provisions and stipulations as may be determined by the directors.

8. The said debentures may be sold for such prices and on such terms all together or from time to time as the directors of the company may decide and order by resolution and pending the disposal thereof upon favorable terms, the directors may make arrangements with banks or individuals by overdraft note or pledge of the said debentures or both at current rates of interest to procure the funds required to meet the costs of the extensions and works mentioned herein, and such debentures when redelivered to the company and while it remains entitled thereto shall be treated as unissued debentures of this series, and accordingly may be, from time to time, issued or reissued as the company may see fit, or cancelled and fresh debentures issued in lieu thereof, and all such debentures shall be entitled to all the privileges and subject to all the conditions attached to debentures of this series.

9. The conditions imposed by the corporation of the village of Cartierville as a consideration of its guarantee of the debentures of the company as set forth in by-law No. 14 of its council and in the resolution thereof of the fifth of August last 1907, relating to the minimum period during which light shall be supplied by the company, are accepted and the president or vice-president and secretary-treasurer authorized to execute and sign with the said corporation a proper deed to witness the same, the said deed and copy for the corporation to be paid by the company.

10. This by-law shall take effect when approved according to law by the shareholders of the company.

Passed by the board of directors of the *Saraguay Electric*

Light and Power Company, on this fifth day of November, nineteen hundred and seven.

(Signed) EDMOND HURTUBISE, *Sec.-treas.*

“ W. M. RAMSAY, *President.*

And approved by the shareholders in meeting specially convened for the purpose this eleventh day of November, nineteen hundred and seven.

(Signed) EDMOND HURTUBISE, *Sec.-treas.*

“ W. M. RAMSAY, *President.*

Certified true copy.

(Signed) EDMOND HURTUBISE, *Sec.-treas.*

Signed *ne varietur* by Mtre Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

(Signed) H. GOHIER, N. P.

A true copy.

H. GOHIER, N. P.

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Toronto, 6th November, 1907.

RESOLUTION of the Board of directors of National Trust Company, Limited, passed at a meeting duly called and held on Wednesday, November 6th, 1907.

*Resolved:*—That Andrew Guy Ross, manager of the company at its Montreal office, be and is hereby authorized to appear before any notary or notaries in the city of Montreal and to execute on behalf of the company as trustee a deed of trust from the Saraguay Electric Light and Power Company securing an issue of \$30,000 par value of five per cent, first mortgage gold debentures and to sign on behalf of the company the trustee's certificates upon each of the said debentures. Carried.

Certified true copy.

(Signed) F. S. WHITE,

*General Manager.*

Signed *ne varietur*, by me, Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

(Signed) H. GOHIER, N. P.

A true copy.

H. GOHIER, N. P.

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Province of Quebec. } MUNICIPALITY OF THE VILLAGE OF  
CARTIERVILLE

At a general session of the council of the village of Cartierville, held at the usual place and hour on Monday, the 5th August 1907, at which were present all the councillors, except Mr. Ouellette, under the presidency of the mayor ;

It was unanimously resolved on motion of Mr. Lapointe, seconded by Mr. Cardinal, that Léandre Bélanger, notary, be associated as counsel with Mr. Boyer, the legal adviser selected to examine the titles of the Saraguay Electric Light and Power Company and that the company's debentures shall be endorsed only when the titles have been approved by both and the company has undertaken to supply gratis the quantity of light agreed upon, for at least 5 years in the event of its redeeming its debentures before such lapse of time, the whole in accordance with the promise made by its manager, Mr. Champagne, at the public meeting which preceded the vote on the said by-law No. 14.

True copy.

(Signed) LOUIS BOYER, *Secretary-treasurer*.

Signed *ne varietur*, by Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

(Signed) H. GOHIER, N. P.

True copy.

H. GOHIER, N. P.

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Province of Quebec, }  
Village of Cartierville. }

At a general session of the council of the village of Cartierville, held according to law in the municipal assembly room, at the usual hour on Monday, 8th July, 1907, to which date it was adjourned on the 2nd July, 1907, for the purpose of considering and adopting the present by-law at which all the councillors, except Mr. Cousineau, were present under the presidency of the mayor.

It was ordered and enacted by by-law of the council, as follows :

#### BY-LAW No. 14

Whereas the Saraguay Electric Light and Power Company, has asked the corporation of the village of Cartierville to guarantee the debentures carrying first mortgage on all its property which it proposes to issue at once to the amount of \$30,000.00, redeemable in 30 years and bearing interest at 5 per cent payable half-yearly, and has offered in return to supply the corporation with electric light for a sum of \$300.00 per annum at the prices for public lighting given in its contract with the municipality for lighting, entered into before H. Gohier, N. P., on the 9th October, 1906, so long as the said debentures are not redeemed by the company and to pay the cost of this by-law and all other costs in connection therewith.

Whereas the said company has submitted a certified statement of its affairs in the month of February last, showing assets of over \$100,000.00 and has represented that its assets are much more considerable at present, and that it holds franchises for supplying light and water to various municipalities, which are of great value and that it has over \$50,000.00 invested in the village of Cartierville and will have \$75,000.00 when the water-works are finished and the new electric generator is installed.

Whereas the municipality runs no risk and has every advantage in accepting the above offer ;

That the said offer be accepted and upon the company undertaking by notarial deed to supply light as offered and subject to verification by the corporation's legal adviser of the company's titles and of the fact that the said debentures constitute a mortgage and preferential lien of the first class on the company's property, the corporation of the village guarantees the said issue of debentures, principal and interest, and the mayor and secretary-treasurer are authorized, after the signing of the above contract and the verification of the titles, to endorse the said debentures and sign all necessary or useful

documents to give effect to the said guarantee in the usual form or any other form approved by the corporation's legal adviser, and generally all deeds in connection with this by-law, the said signatures to establish conclusively that the above conditions regarding the company's engagement and the verification of the titles have been fulfilled.

This by-law shall come into force after having been sanctioned and published according to law.

(Signed) FELIX PLOUFFE, *Mayor.*

" LOUIS BOYER, *Sec.-treas.*

True copy.

(Signed) LOUIS BOYER, *Sec.-treas.*

Signed *ne varietur*, by Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

H. GOHIER, N. P.

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RESOLUTION OF DIRECTORS TO BE PASSED AFTER MEETING OF  
SHAREHOLDERS

That in pursuance of by-law No. 22, authorizing the issue of \$30,000 of debentures, and of the resolution of the shareholders passed on the eleventh day of November last approving said by-law, William M. Ramsay, the president, and Edmond Hurtubise, secretary-treasurer, be and they are hereby authorized to sign and execute in the name of the company a trust deed from the company to the National Trust Company of Toronto, Limited, as trustee for the debenture holders, substantially in the form of the draft now before the meeting and identified by the signature of the chairman and secretary conveying and hypothecating to the National Trust Company, Limited, all the property and franchises of the company now owned or hereafter to be acquired as described in said deed, and containing provisions relating to payment, insurance, default, notice to and action by debenture holders, and other provisions, which said deed is approved by this meeting.

Extract of directors' meeting, held on the 19th November, 1907.

Certified true copy.

(Signed) EDMOND HURTUBISE,  
*Secretary-treasurer.*

Signed *ne varietur*, by Mtre Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

(Signed) H. GOHIER, N. P.

True copy.

H. GOHIER, N. P.

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EXTRACT of the minutes of a special shareholders' meeting of  
The Saraguay Electric Light and Power Company, held  
at the head office of the company at Cartierville, on  
Monday the 11th November, 1907, at 3 o'clock, p. m. :

BY-LAW No. 22

Authorizing the issue of debentures to the amount of \$30,000 at five per cent, to be guaranteed by the corporation of the village of Cartierville, passed by the board of directors on the fifth of November, 1907, having been duly read as well as by-law No. 14 of the village of Cartierville and its resolution upon the subject of the 5th of August, 1907.

It is resolved unanimously on the proposition of Mr. Chs. Brandeis, seconded by Mr. E. Champagne, that the said by-law of the company be approved and the directors and officers of the company empowered to carry out the operation and sign the document mentioned therein.

Certified true copy.

(Signed) EDMOND HURTUBISE,  
*Secretary-treasurer.*

Montreal, 30th November, 1907.

Signed *ne varietur*, by Mtre Hercule Gohier, notary, at St. Laurent, on the 30th November, 1907.

(Signed) H. GOHIER, N. P.

A true copy.

H. GOHIER, N. P.

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## CHAP. 115

An Act to incorporate the *Rivière du Nord Water Power Company*

[Assented to 25th April, 1908]

**W**HEREAS the persons hereinafter named have, by petition, represented that they wish to be incorporated with others, under the name of "The *Rivière du Nord Water Power Company*" for the purpose of making dams or canals, doing certain works and making certain improvements on a portion of the *Rivière du Nord* hereinafter described and upon its tributaries in the districts of Joliette and Terrebonne in the Province of Quebec with the powers hereinafter set forth ; that the deforestation of the lands in the neighborhood of the *Rivière du Nord* and its tributaries has caused a considerable diminution in the flow of water and endangers the various industries along the course of the said river ;

And whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Honourable Damien Rolland, manufacturer, of the city of Montreal ; Stanislas Jean-Baptiste Rolland, manufacturer, of the town of St. Jérôme ; Octavien Rolland, manufacturer, of the city of Montreal ; F. Howard Wilson, manufacturer, of the city of Montreal, and Thomas H. Ayers, manufacturer, of the town of Lachute, all of the Province of Quebec, with such other persons as may hereafter become shareholders of the said company, are hereby incorporated under the name of "The *Rivière du Nord Water Power Company*," hereinafter called the company. Persons incorporated.

2. The said Damien Rolland, Stanislas Jean-Baptiste Rolland, F. Howard Wilson and Thomas H. Ayers shall be the provisional directors of the company and remain in office as such until the first election of directors. Provisional directors, &c.

3. The capital stock of the company shall be fifty thousand dollars divided into shares of one hundred dollars each. Capital stock.

4. The head office of the company shall be in the city of Montreal, in the Province of Quebec, but it shall be lawful for the company, from time to time, to fix upon some other place Head office, &c.

for such head-office, by by-law which shall not come into force until after having been published in the *Quebec Official Gazette*.

Annual  
general meet-  
ing, &c.

5. The annual general meeting of the shareholders of the company shall be held on the first Wednesday of June of each year until the date is changed by a by-law of the company. At such meeting the shareholders, present in person or duly represented, who have paid all calls due on their shares, or the majority of them constituting a quorum, shall elect such number of directors not less than three nor more than seven as may be fixed by a by-law of the company. Afterwards, the majority of such directors shall constitute a quorum.

Powers of  
company.  
Purchase,  
&c., of water-  
powers, &c.

6. The company may :

a. Purchase or acquire, hold, lease, operate and alienate water-powers, also lands, properties or riparian rights of all kinds on the *Rivière du Nord* and its tributaries as well as on the lakes and streams now discharging into the said *Rivière du Nord* and its tributaries, in the districts of Joliette and Terrebonne, in the Province of Quebec, from the source of the *Rivière du Nord* to a point near the place called Shawbridge, in the parishes of Saint Sauveur and Saint Jérôme, in the county of Terrebonne.

"District"  
defined.

For all the purposes of this act, the word district is used in the sense of judicial district, and shall comprise all the counties forming, for judicial purposes, part of the district mentioned ;

Purchase,  
&c., of dams,  
&c.

b. Purchase, acquire, make and use all dams, canals, works and improvements on the said *Rivière du Nord*, its tributaries and the lakes and streams discharging into it, for the purpose of storing up the waters of the said river, its affluents, tributaries, lakes and streams, to regulate their course and flow according to the needs and requirements of water-powers or other powers operated and developed along the said *Rivière du Nord*.

Acquisition  
of certain  
lands, &c.

c. Acquire by purchase, lease or otherwise, at all places on the banks or shores of the *Rivière du Nord*, its affluents, and tributaries, and of the lakes and streams discharging into them, such lands as it may deem necessary for the erection of piers, booms, dams or other works required for its operations ; and sell its lands or otherwise dispose of the same when it deems the same no longer necessary for its undertaking ;

Tolls, &c.

d. Charge tolls for the use of its dams, piers, and structures and generally for all works of improvement done or made by the company, as well as for the benefits and advantages to result therefrom for the owners of industrial establishments along the said *Rivière du Nord* and its tributaries. The tariff of such tolls shall be fixed and determined by the Lieutenant-Governor in Council.

**7.** The company shall have the right to increase its capital <sup>Increase of</sup> from time to time, by a by-law passed by the directors of the <sup>capital.</sup> company, and approved by the vote of the shareholders holding at least two-thirds of the capital subscribed or issued, at a meeting specially called for the purpose ; and articles 4767 to 4771 inclusively of the Revised Statutes shall not apply.

**8.** The company may, further, borrow in the ordinary course <sup>Borrowing</sup> of its business or on promissory notes or negotiable securities, <sup>on notes, &c.</sup> to such amounts and on such terms as the directors may, from time to time, deem advisable.

**9.** For the construction, operation and utilization of the <sup>Entering on</sup> dams or other works of improvement erected by the company <sup>certain lands,</sup> under the powers conferred on it by this act, the company, its <sup>building of</sup> agents, representatives and employees shall have the right and power at any time to enter upon the Rivière du Nord, its tributaries, the lakes and streams discharging into it, the beds, banks, shores, and beaches of the said river, its tributaries, lakes and streams and the islands therein and on the Crown lands adjacent to or in the vicinity of the said river, tributaries and lakes, and upon all creeks and streams that connect said lakes with one another or with said river, and the said company is hereby given the right and power of erecting, making, renewing, or repairing, at all times thereon, such dams, dikes, barriers, piers and other works and improvements of the same kind as such company may decide to erect or make for the purpose of damming, storing, raising, lowering, retaining and regulating the course and flow of the waters of the said river Rivière du Nord, and its tributaries and of the said lakes and streams, and to that end the said company is further hereby given among other powers, the right and power of making on said Rivière du Nord, its tributaries and affluents, and the lakes and streams discharging therein and on and in the beds, banks and shores thereof and islands therein, all such excavations, openings, deepenings, channels, canals, reservoirs, conduits, and other works as it may decide upon for the purposes of the company ; and it shall have exclusive possession of such dams, erections, barriers, excavations, openings, deepenings, channels, canals, reservoirs, and conduits so made or erected ; provided the company shall not do any of the operations or exercise any of the powers enu- <sup>Proviso.</sup> merated in this section before having obtained in the ordinary manner, the right so to do, from the Crown, the corporation or the person who is proprietor thereof.

**10.** By means of the works above authorized the company <sup>Raising, &c.,</sup> is hereby given the right and power of raising, lowering, storing

certain  
waters.

and retaining the waters of the Rivière du Nord, its tributaries, and lakes, streams and creeks, discharging therein or of making them connect with one another, in such manner and to such extent and as long as the company may, from time to time, deem expedient. It shall also have the right and power of controlling and regulating the course and flow of water in such manner as it may deem expedient.

Acquisition  
of certain  
riparian  
lands, &c.

**11.** For the purposes of its operations, the company may acquire any land or lot adjacent to the various rivers, streams or lakes over which its operations shall extend and which it may need for its dams or other works, and generally for all the structures it is authorized to erect ; and it may also acquire works of a similar kind that might already exist in the Rivière du Nord, or in the other waters above mentioned and similar to those the company is authorized to erect.

Subscription,  
&c., for  
shares by  
other com-  
panies, &c.

**12.** Any company or corporation may, in the same manner as any individual, subscribe for, purchase or otherwise acquire shares in the company hereby incorporated.

Power of  
Government  
to give con-  
current rights  
not affected.

**13.** Nothing in this act shall affect the right of the Government to give the same powers to other persons or companies within the same territory.

Certain spe-  
cial rights.

**14.** The company, notwithstanding anything contained in this act to the contrary, shall have the rights of all companies for the floating of lumber above the place called Shawbridge.

Government  
may do cer-  
tain work, &c.

**15.** It shall be lawful for the Government of this Province, to do itself, wholly or in part, the works specified in this act and, in such case, it shall have the same powers as the company for the whole, or concurrently with it, as the case may be.

Joint Stock  
Co. Gen.  
Clauses' Act  
to apply.

**16.** The Joint Stock Companies General Clauses Act shall form part of this act except in so far as it may be inconsistent with the provisions hereof.

Permission  
of Crown &c.  
required in  
certain cases.

**17.** No work coming within the provisions of this act shall be done upon public or private lands or waters, until the company has obtained from the Crown, the corporation or the person being proprietor thereof the right to do the same.

Certain rights  
of manufac-  
turers, &c.,  
not affected.

**18.** In carrying out the powers given by this act, the company shall not raise or lower any stream of water, so as to interfere with manufacturers utilizing or who may utilize the said Rivière du Nord and its tributaries ; and nothing contained in the grant of any powers conferred by this act shall

be construed so as to restrict the rights of riparian owners to compensation for damage caused to their property by the works of the company.

**19.** Notwithstanding anything contained in this act, the powers and operations of the company shall be strictly limited to and must be exercised above the point on the said river where the place called Shawbridge is now situated and shall not be exercised on Lake Brulé in the townships of Beresford and Doncaster. Place where operations to be carried on.

**20.** The exercise of any of the rights conferred by this act upon the said company, shall be subject to the payment of all damages that may be occasioned thereby. Payment of damages in certain cases.

**21.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 116

An Act to incorporate the Rouge River Hardwood and Development Company, Limited

[Assented to 25th April, 1908]

**WHEREAS** Charles E. Read, of the city of Ottawa, in the Province of Ontario, lumber-merchant ; Frederick W. Avery, of the said city of Ottawa, lumber-merchant ; Edward J. Graham, of St. Jovite, in the Province of Quebec, lumberer ; John B. White, of St. Faustin, in the said Province of Quebec, lumberer ; and T. Bertram Cole, of the said city of Ottawa, accountant, have, by their petition, prayed for the incorporation of a company with power to carry on the business of lumbermen and manufacturers of lumber and wood goods of all kinds, and also of pulp and paper, and with other powers and for other purposes ;

And whereas they have prayed for the passing of an act constituting them a corporation accordingly ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** The said Charles E. Read, of the city of Ottawa, in the Province of Ontario, lumber-merchant ; Frederick W. Avery, of the said city of Ottawa, lumber merchant ; Edward J. Persons incorporated.

**Name.** Graham, of St. Jovite, in the Province of Quebec, lumberer ; John B. White, of St. Faustin, in the said Province of Quebec, lumberer, and T. Bertram Cole, of the said city of Ottawa, accountant, together with such persons as may become shareholders in the company, are hereby incorporated under the name of the "Rouge River Hardwood and Development Company, Limited," hereinafter called the company.

**Provisional directors.** 2. The said Charles E. Read, Frederick W. Avery, and T. Bertram Cole, are constituted the provisional directors of the company.

**Head office.** 3. The head office of the company shall be in the village of Calumet, in the Province of Quebec.

**Annual shareholders' meeting.** 4. The annual meeting of the shareholders of the company shall be held on the first Wednesday in June in each year, until changed by a by-law of the company.

**Election of directors.** 5. At such meeting the holders of the capital stock assembled or represented by proxy, who have paid all calls due on their shares, shall choose at least three persons and not more than seven persons to be directors of the company, the number to be determined by a by-law of the company.

**Powers of company. Business of lumbermen, &c.** 6. The company may :

1. Carry on the business in all its branches of lumbermen and manufacturers of lumber, timber-merchants, and manufacturers of timber and of all kinds of wood goods, and all other business incident thereto or connected therewith ;

**Manufacturing pulp wood, &c.**

2. Carry on the business in all its branches of manufacturing pulp-wood, pulp, paper and all other business incident thereto or to the sale or disposal of the products of such businesses ;

**General merchants, &c.**

3. Carry on the business of general merchants, and of farming and stock-raising ;

**General manufactures, &c.**

4. Carry on the business of general manufacturers and millers ;

**Acquiring, &c., of saw mills, &c.**

5. Purchase, erect, acquire and dispose of and operate, saw mills and factories of all kinds, grist mills, flour mills, pulp and paper mills, and buy, deal in, and dispose of the products of such mills and factories in any form, and purchase, make, manufacture, and otherwise acquire and dispose of materials of all kinds useful or that can be used in the operation of such mills and factories ;

**Manufacture of calcium carbide, &c.**

6. Purchase, manufacture, sell and otherwise dispose of calcium carbide, wood alcohol and chemicals ; and purchase, erect, or

otherwise acquire such factories and works as may be deemed necessary for such purposes ;

7. Purchase, lease, acquire, dispose of and operate timber berths, timber licenses, timber lands, water-powers, hydraulic properties and other property, moveable and immovable, to any extent whatsoever, and to enter into all contracts necessary for such purpose; Acquire timber berths, &c.

8. Construct, charter, acquire operate and dispose of, in connection with the enterprises of the company, steam and other vessels, the whole without in any way becoming common carriers, or incurring any obligation in that respect ; Charter boats, &c.

9. Build, purchase, acquire, construct, operate and dispose of roads, tramways, wooden, iron or steel railroads from a point at or near the Canadian Pacific Railway to St. Faustin, in the county of Terrebonne, following the Rivière du Diable in the townships of Wolfe and Grandison, and in the county of Montcalm to the source of the said Rivière du Diable, with a branch to Lake Quenouille in the county of Terrebonne, also from a point at or near the place where the river Macaza falls into the Rouge river in the county of Ottawa, to a point on Lac des Cinq Doigts, and from a point on or near the Canadian Pacific Railway to Lake Mercier, in the county of Terrebonne to the source of the Rivière Caché or Ruisseau Caché in the county of Ottawa, the whole without becoming a common carrier or incurring the obligations thereof; Build tramways, &c.

10. Purchase, acquire, hold, lease, operate and dispose of waters-powers, hydraulic and riparian properties and rights of all kinds on the Rouge river at or near Calumet aforesaid, and at or near the places where Mercier and Trembling Mountain lakes discharge into the said river, in the county of Terrebonne, and also at or near the place where the Macaza river falls into the said Rouge river in the county of Ottawa ; and produce electricity, heat, light and power thereon, and sell, lease or otherwise dispose of, and deliver by wire, pole-lines and other appliances, water-power, electricity, light, heat and motive power so produced and developed thereon ; and at the places where the company shall acquire water-powers and riparian properties, it may make and erect such dams, canals and other works and improvements as may be necessary or suitable for the company's purposes ; also telephone and telegraph lines along its railways and tramways. Acquiring water-power, &c.

Provided the sale of electric light, heat and motive power shall be limited in the Province of Quebec, to the counties of Terrebonne, Montcalm, Argenteuil and Ottawa; Proviso.

11. Float logs, building timber and other timber generally, and, for the purposes of this paragraph, the law governing Floating of timber, &c.

companies for the floating of timber shall apply to this company;

Operate  
tramways,  
&c.

12. Operate, without becoming common carriers, the said roads, tramways, wooden, iron and steel railroads, with horses or other animals, with steam or electricity, and with such other means and appliances as may be thought expedient.

Capital.

7. (1). Until otherwise provided, pursuant to the provisions of this act, the capital stock of the company shall be five hundred thousand dollars, and said capital stock of the company may be increased from time to time to any amount not exceeding three million dollars by a by-law passed by the directors of the company, and approved by a vote in person or by proxy of the shareholders who hold at least two-thirds in amount of the subscribed or allotted stock of the company, at a meeting specially called for that purpose, and all capital stock of the company shall be divided into shares of one hundred dollars each.

Increase of  
capital, &c.

Preferred  
and common  
stock.

(2). Such capital stock of the said company may be issued as preferred stock or common stock, and the same may be issued under a by-law or by-laws passed and approved as aforesaid, in such amounts and proportions as shall be named from time to time in said by-law or by-laws. The dividends on the preferred stock shall be cumulative or non-cumulative and of such amounts as the by-law or by-laws authorizing the issuing of the same shall determine. No dividend shall be payable on the common stock until all dividends payable in respect of preferred stock have been paid or provided for. In the event of any liquidation or dissolution or winding up (whether voluntary or involuntary) of the company, the holders of the preferred stock shall be entitled to be paid in full the principal amount of their shares and the unpaid dividends accrued thereon before any amount shall be paid to the holders of the common stock.

Dividends  
on preferred  
stock, &c.

Rights of  
preferred  
shareholders  
on winding  
up.

Bonds, &c.

(3). The said company may also, from time to time, issue mortgage bonds or debentures, or both such bonds and debentures, to any amount and upon such conditions as to priority, in whole or in part, as well as any other conditions as shall be determined and named by and in the by-law or by-laws authorizing the same, which by-law or by-laws shall be passed and approved as aforesaid, and, subject to the exception in paragraph 5 of this article, the company may secure the same by a mortgage or mortgages, hypothec or hypothecs, upon the whole of its immoveables and railway plant, and with such rank or preference, and in such manner, and upon such conditions as may be determined by the by-law or by-laws authorizing the same, and the company may by such by-law or by-laws provide that such mortgage and hypothec, or mortgages and hypothecs,

Hypothec,  
&c., to secure  
bonds.



shall be granted to a trustee or trustees, and the company may by such by-law or by-laws determine the rights and powers of such trustee or trustees over the properties and assets of the company. The company, before the sale or disposal of such bonds or debentures, may pledge the same, or any part thereof, for advances then secured or applied for and secured thereafter.

Pledge of  
bonds.

(4). The company, from time to time, may also borrow on current account or on promissory notes or other negotiable instruments, and on such terms as may be agreed upon, all such sums as the directors may, from time to time, decide are required.

Borrowing  
on notes, &c.

(5). The company may pay for all moveable and immoveable properties, in whole or in part, and for all services, in stock, bonds, and debentures of the company and the purchase price of all properties in whole or in part may be secured by mortgage or hypothec upon the immoveables and railway so acquired, and such mortgage or hypothec, or mortgages or hypothecs, as the case may be, if so stated, shall rank as regards the property so acquired before any hypothec or mortgage granted to secure said bonds or debentures, issued under sub-paragraph 3 of this article but without prejudice to hypothecs and privileges already acquired.

Payment for  
property, &c.,  
in stock, &c.

(6). The directors of the company may issue as paid up stock, shares in the company, preferred or common, whether subscribed for or not, and may allot and hand over such stock in payment, in whole or in part, for right of way, plant, rolling-stock, materials, or properties of any kind, and also for services of any kind, and such stock and allotment of stock shall be binding on the company, and such stock shall not be assessable for calls. The stock of the said company may be sold at such prices or discount as may be deemed expedient or necessary.

Issue of  
paid up stock  
for right of  
way, &c.

8. The company is authorized to purchase, acquire, lease, hold or dispose of lands and riparian rights on the Rouge river or its tributaries in the counties of Argenteuil, Terrebonne and Ottawa, for the purpose of building dams for storing water and regulating and controlling the course and flow thereof, on condition that such works shall not hamper the industries established or which may hereafter be established along the said Rouge river, and subject to the obligation of paying the riparian owner for such damages as may be caused to their properties by the works so done by the company; provided that the rights hereby conferred upon the company shall have no exclusive character, and that nothing in this act shall prevent the Government of this Province from conferring similar rights on other companies or individuals.

Purchase,  
&c., of cer-  
tain lands,  
&c.

9. The exercise of any of the rights herein conferred upon the said company, shall be subject to the payment of all damages that may be occasioned thereby.

Payment of  
certain dam-  
ages.

Passage for logs, &c., to be provided.

**10.** The company shall construct and locate the improvements and works that the company is authorized to make, so as to allow the passage of logs and timber through or around the same, and also so as not to unduly interfere with flotation on said rivers, lakes, streams and creeks, and bodies of water mentioned or referred to.

Quebec Railway Act applies in certain cases.

**11.** As regards the tramways, wooden, iron or steel railways which it is authorized to construct, and the rights of way that may be required for such purposes, the company shall be subject to the Quebec Railway Act, which shall apply for such purposes.

Joint Stock Co. Gen. Clauses Act to apply.

**12.** The Joint Stock Companies General Clauses' Act, with the exception of the second paragraph of article 4659, shall apply to the company when not inconsistent with the provisions of this act.

Meetings of directors.

**13.** Meetings of the directors of the company for the transaction of all or any of the business of the company may be held at any place, and at such times as shall be fixed by a by-law or by-laws of the company passed at any time for such purposes, and all books and records that the company is or shall be required to keep may be kept and recorded either at the place so to be designated for the holding of the meetings of the directors, or at the head office of the company, as shall be provided by a by-law or by-laws of the company passed for such purpose.

Subscription to stock in other companies.

**14.** The company may subscribe for, purchase, and otherwise acquire stock in any company or corporation, and the stock of the company incorporated by this act may be subscribed for, purchased and otherwise acquired by any other company or corporation, domestic or foreign, as well as by individuals.

Coming into force.

**15.** This act shall come into force on the day of its sanction.

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## CHAP. 117

[Assented to 14th April, 1908]

An Act to incorporate *Le Comptoir Mobilier Franco-Canadien*

**W**HEREAS Honourable Adélard Turgeon of Quebec, Preamble.  
 advocate, and Minister of Lands and Forests of the  
 Province of Quebec ; Honourable Ernest F. de Varennes, of  
 Waterloo, P. Q., notary and member of the Legislative Council  
 of the Province of Quebec ; Mr. Louis Arsène Lavallée, of  
 Montreal, advocate and alderman of the city of Montreal ;  
 Mr. Duncan McDonald, of Montreal, railway manager, and  
 Mr. Joseph U. Emard, of Montreal, advocate and mayor of the  
 village of Boulevard St. Paul have, by their petition, prayed  
 for an act to incorporate *Le Comptoir Mobilier Franco-Canadien*,  
 and whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the  
 Legislative Council and of the Legislative Assembly of Quebec,  
 enacts as follows :

## INCORPORATION

1. A corporation is created and constituted under the name Name.  
 of "*Le Comptoir Mobilier Franco-Canadien*." It shall consist  
 of the persons mentioned in the preamble or their representa- Persons in-  
 tives and of all shareholders of the corporation. corporated.

## HEAD OFFICE

2. The head office of the company shall be in the city of Head office.  
 Montreal at such place as may be determined by its board of  
 management.

3. The board may authorize the establishment of agencies Agencies.  
 or branches at any other place.

## OBJECTS AND POWERS

4. The object of the company is to promote, by means of Objects of  
 French and other capital, the development of the financial, company.  
 industrial and commercial interests of the country and the  
 utilization of its natural resources. It shall have perpetual  
 succession and shall, both for itself and on behalf of or jointly  
 with third parties, do and perform all acts, operations, under-  
 takings and works connected directly or indirectly with the  
 foregoing or for the purposes hereinafter set forth.

5. The company's business shall consist chiefly of the Business of  
 following : company.

a. Financial operations; the purchase, sale and management of securities, rights, concessions, public and private, and moveable and immoveable properties; loans of all kinds; the receiving and turning to account of securities, moneys, merchandize, precious metals and other goods or moveable effects; the promotion, organization and development of all associations or companies in which it may hold or acquire interests; and generally all transactions peculiar to financial establishments.

b. Commercial, industrial and real estate operations; the purchase, sale, manufacture and utilization of all articles of trade or other moveables; the opening and administration of counting houses, shops, warehouses, workshops and other establishments; the development of natural, agricultural, mineral, forest and other riches; the purchase of lands, the erection and turning to account of income-producing buildings and houses, hotels, residences, factories and others.

c. Undertakings and works of a public and private nature; their development, execution and turning to account.

Acquisition  
of property,  
&c.

6. The company may do everything necessary for the carrying out of its undertakings and operations and especially acquire, hold and sell moveable and immoveable properties and dispose of the same at will; receive, in addition to the interest on the sums loaned by it, certain advantages or a share of the profits derived from the property pledged as security for such loans; carry on financial or other operations; hold shares or debentures of other companies or corporations and, notwithstanding any law to the contrary, be represented therein by one or more proxies; acquire and exercise, for its purposes, the powers of the companies or corporations whose property it may acquire; possess warehouses and stores, receive on consignment or otherwise commodities, merchandize and goods, and moveable effects of all kinds.

Guaranteeing  
loans of other  
corporations,  
&c.

7. It shall be lawful for the company to guarantee, by endorsement or otherwise, the loans, bonds, debentures or securities of any corporation or association duly authorized to issue the same, and to enter into arrangements with such companies or associations for the administration of the goods and property pledged as security.

#### CAPITAL STOCK

Capital  
stock.

8. The capital stock shall be three million dollars. It shall be divided into thirty thousand shares of one hundred dollars each, twenty thousand whereof shall be preferred and ten thousand shall be ordinary shares.

**9.** The board of management may issue fully paid up shares of the common stock of the company in payment of services rendered and of administrative, and financial co-operation. Paid up stock for certain purposes.

**10.** The board shall have all the powers for determining the amount, date, rate and conditions of the issues, as well as of the amount of the calls, the method and delay allowed for the payment thereof, brokers' commissions, the nature of the certificates and all questions concerning the issue and allotment of such shares. Powers of board as to issue of stock, &c.

**11.** Preferred and ordinary shares shall be on an equal footing and have identical rights, except the privilege given preferred shares as regards dividends and in the division of the assets, in the event of liquidation. Preferred and ordinary shares.

**12.** Provisional certificates to order only shall be delivered until the shares are fully paid up. Provisional certificates.

**13.** When calls on shares are not paid at the date fixed by the board, interest shall be due thereon, at the rate of seven per cent per annum, without any suit at law. Interest on unpaid calls.

**14.** Certificates to order or to bearer shall be delivered to holders of paid up shares on conditions to be determined by the board. Certificates of shares.

**15.** The possession of a share entails *de jure*, adhesion to the statutes and by-laws of the company and to the decisions of the general meetings. Shareholders subject to by-laws, &c.

**16.** The rights and obligations connected with a share, follow the certificate thereof into whomsoever's hands it may pass. Rights, &c., of shareholders transferable.

**17.** The company is in no wise responsible for the validity of transfers. Company not answerable for validity of transfers.

**18.** Certificates of shares shall be taken from a register with a counter-foil, on which counter-foil the certificates detached therefrom shall be described with their date, destination and all other details and, in case of exchange, the certificates that have been brought back. Register of certificate, &c.

**19.** In the event of the loss or destruction of the certificates, the company shall not be bound to replace the same until the board of management is satisfied with the proof and guarantees produced or until all the formalities deemed necessary have Loss, &c., of certificates.

been fulfilled at the expense of the claimant. The board shall further determine the conditions on which the certificate shall be replaced and may exact security or deliver only a non-transferable certificate to order.

#### BONDS

**Borrowing on bonds, &c.** **20.** The company may contract loans on its credit or in connection with its investments by means of an issue of bonds or debentures, or otherwise.

**Conditions fixed by board.** **21.** The board shall, without the intervention of the general meeting decide upon such loans and fix the amount, conditions and mode of issue, the security and the repayment thereof.

**Securing of bonds, &c.** **22.** The company may secure its debentures by pledge, or otherwise in the hands of the holders or of trustees upon the whole of its goods, securities and property or a portion thereof, and may hypothecate its immoveables.

**Currency in which bonds payable, &c.** **23.** The bonds of the company shall be issued in dollars, francs or other foreign currency. The total amount of the current debentures shall not in any case exceed seventy five per cent of the property and assets of the company.

**Certain conditions of issue.** **24.** It shall be lawful for the company to issue bonds or debentures under the following conditions :

- a. To order or to bearer ;
- b. Transferable by mere delivery or by registration in the books of the company ;
- c. For any period of time not exceeding fifty years ;
- d. For sums of twenty dollars or one hundred francs, or over.

**Numbered certificates, &c.** **25.** The bonds or obligations shall be represented by numbered certificates, bearing the signature of the secretary and president or of two directors, as well as the seal of the company.

**Register of certificates, &c.** **26.** The certificates shall be taken from registers with a counter-foil, on the counter-foil whereof the attached certificates shall be clearly described, with their date and destination.

**Company not responsible for validity of transfers.** **27.** The company shall not in any case be responsible for the validity of the transfers.

#### BOARD OF MANAGEMENT

**Board of management.** **28.** The company shall be managed by a board of management of three members at least and of ten at the most.

**29.** At least one-third of the members of the board shall be British subjects, residing in Canada. Proportion to be British subjects.

**30.** The first board of management shall be appointed by the persons mentioned in the preamble, or their representatives, and shall remain in office for five years. First board how appointed, &c.

**31.** The board shall then be renewed wholly for a period of two years, and so on at the end of each period of two years. Term of office of subsequent boards, &c.

**32.** The directors going out of office are always re-eligible. Directors re-eligible.

**33.** Any director may be represented at a meeting of the board by one of his colleagues, by means of a written proxy, valid for a specified time, but always revocable at will, even before the expiration of its term. Absent directors may also give their vote in writing upon a specific question. Director proxies, &c.

**34.** The board shall have the most extensive powers as regards the company's affairs. Powers of board.

**35.** It shall annually appoint the president, vice-president, secretary and other officers of the company. Appointment of president, &c.

**36.** The officers who do not form part of the board shall remain in office until removed or replaced. Officers how long to remain in office.

**37.** In order to be valid, the resolutions of the board must be adopted at meetings consisting of at least two directors present, and the directors present or represented by proxies must constitute at least one-third of all the members of the board. Every decision adopted outside of such conditions may be validated with retroactive effect at a subsequent meeting regularly held within a delay of thirty days. Resolutions of board. Ratification of certain resolutions.

**38.** The decision of the board shall be adopted by the majority of the votes of the members present or represented. Nevertheless, the adhesion of the majority of the members forming part of the board is required in the following cases :

- a. Adoption and amendment of by-laws ; Proviso.
- b. Issue of shares and debentures ;
- c. Every decision entailing engagements for an amount exceeding twenty thousand dollars ;
- d. Provisional appointment of directors.

**39.** In case of vacancy, the board shall provide for the filling of the same and the directors so appointed shall Filling of vacancies.

remain in office for the remainder of the period for which their predecessors were appointed, unless removed or replaced by the general meetings.

#### GENERAL MEETINGS

General meetings.

**40.** The general meetings regularly constituted shall represent the whole of the shareholders,

Of whom to consist, &c.

**41.** It shall consist of shareholders holding or representing at least twenty shares, each shareholder having as many votes as he represents or holds the number of twenty shares at the meeting.

List to be prepared by board, &c.

**42.** The list of shareholders entitled to form part of the general meeting shall be decided by the board of management. It shall indicate opposite the name of each, the number of shares held by him.

List where to be deposited, &c.

**43.** Such list shall be kept, at least five days before the date of the meeting, at the disposal of the shareholders who wish to take cognizance of the same, at the head office in Montreal and at the place where the general meeting is held.

Proxies.

**44.** No one can be replaced except by a proxy who is himself a member of the meeting.

Date of meeting.

**45.** The general meeting shall meet each year before the thirty-first of March, at the place chosen by the board.

Extraordinary meetings called by board.

**46.** An extraordinary meeting may also be held whenever the board of management considers the same necessary and at such place as it may indicate.

Or by shareholders, &c.

**47.** Shareholders representing one fourth of the capital stock shall have at any time the right to call an extraordinary general meeting of the shareholders for the transaction of business set forth in the notice calling the same. Special written notice shall be given at the same time to the board of management which thereupon shall be bound to act as if the meeting had been called by itself.

Notice thereof.

**48.** The meetings shall be called at least twenty days before they occur by means of a notice published in a daily newspaper in Montreal and a daily newspaper published in Paris, such notice specifying the date, hour and place where such general meeting is to be held, as well as the date and place where the shareholders must deposit their certificates.

Its contents.



**49.** The board shall determine the conditions respecting <sup>Deposit of</sup> the deposit of the certificates unless it be provided by the <sup>certificates</sup> by-laws.

**50.** The shareholders shall, in all cases, have the right to <sup>Deposit of</sup> deposit their certificates in Europe, at the office of the <sup>same in Eu-</sup> general agency, or in default with a banking house designated by the <sup>rope, &c.</sup> board.

**51.** General meetings shall be regularly constituted when <sup>Quorum at</sup> one fourth of the shares forming the capital stock are repre- <sup>general meet-</sup> sented thereat. <sup>ings.</sup>

**52.** If the condition provided for in the foregoing article <sup>Calling of</sup> be not fulfilled, the meeting shall be called a second time at an <sup>meeting if no</sup> interval of at least one month. <sup>quorum.</sup>

**53.** The members present at the second meeting, whatever <sup>What mat-</sup> may be the number of shares they represent, may validly <sup>ters to be</sup> deliberate, but only on such matters as were on the order of <sup>considered.</sup> the day for the first meeting.

**54.** The officers of the meeting shall consist of a chairman, <sup>Chairman,</sup> two scrutineers and a secretary. <sup>&c.</sup>

**55.** The president of the board shall be *ex-officio* chairman <sup>President,</sup> of the meeting; in his absence the meeting shall be pre- <sup>&c., ex officio</sup> sided over by the vice-president and in the absence of both, <sup>chairman.</sup> by a director or shareholder designated by the board.

**56.** The duties of scrutineers shall be performed by two <sup>Scrutineers.</sup> shareholders, holding the greatest number of shares, both in their own name and as proxies and, in case of their refusal, by two shareholders who follow them next in order on the list, until the office is accepted.

**57.** The chairman and two scrutineers shall appoint a <sup>Secretary of</sup> secretary. <sup>meeting.</sup>

**58.** The meeting shall hear the report of the board of man- <sup>Report of</sup> agement on the situation of the company's affairs and also <sup>board, &c.</sup> the report of the comptroller.

**59.** It shall decide upon the yearly accounts and upon <sup>Decision</sup> the endowments upon the reserve and sinking funds, and <sup>fix upon yearly</sup> the dividend. It may, by anticipation, authorize the payment <sup>accounts, &c.</sup> of the cumulative interest attributed by the charter to preferred stock, provided such payment does not affect the rights of third parties.

**Appointment of directors, &c.** **60.** It shall appoint the directors and the comptroller whenever necessary and remove them at any time at will, even before the expiration of their term of office.

**Increase of capital stock, &c.** **61.** It shall, when the proposition is submitted to it by the board of management, deliberate upon the increase of the capital stock, and the adoption or amendment of by-laws.

**Decision upon interests of company.** **62.** It shall decide finally upon all the interests of the company.

#### CHARTER AND BY-LAWS

**Company how governed.** **63.** The company shall be governed by its charter and by its by-laws.

**Joint Stock Co. Gen. Clauses Act to apply, &c.** **64.** The Joint Stock Companies' General Clauses Act shall apply only in cases not provided for or not amended by the charter of the company or by its by-laws.

**Charter to govern.** **65.** In the event of conflict between the charter and the general clauses or the common law or in the event of varying provisions or of double provisions upon any one point, the provisions of the charter alone shall have force and effect.

#### BOOKS OF THE COMPANY

**Stock books, &c.** **66.** The stock books shall be kept open every month from the seventh to the tenth at the head office of the company, during ordinary business hours, for the purposes of being examined by any person holding a power of attorney from shareholders or creditors of the company, representing an interest of at least ten thousand dollars. The latter may obtain certified extracts therefrom on payment of the fees fixed by the board of management.

#### ANNUAL ACCOUNTS AND INVENTORIES

**Fiscal year.** **67.** The company's year shall begin on the first of January and end on the thirty-first of December following.

**First fiscal year.** **68.** The first year shall comprise what remains of the current year on the date when the company is organized, and the whole of the year following.

**Yearly statements.** **69.** The statements of account to be presented yearly at the ordinary general meeting of the shareholders shall be drawn up by the board,

**70.** The report of the comptroller shall be submitted to Report of the general meeting; it may serve as a basis for establishing comptroller. the statement of account, and justify the payment of the dividends.

#### COMMITTEES

**71.** The board may delegate a portion of its powers to Delegation one or more persons by special mandate but only for a to certain specified object and for a limited period. persons.

#### COMPTROLLER

**72.** An officer shall be appointed every year by the general Comptroller. meeting who shall be called the comptroller and who shall perform the duties of an inspector and auditor, and a censor.

**73.** The comptroller shall see to the observance of the His func- charter and by-laws, audit the books and accounts, check the tions. issue of shares and debentures, check the cash, inspect the securities and properties of the company and establish the validity of its titles. He shall further, when thereunto required by the board, make out an estimate of the company's assets, based on the realized value or on the yield of such assets.

**74.** He shall draw up a report of the whole which he shall His report to hand to the board at least ten days before the annual general board. meeting.

**75.** The general meeting or in its default, the board shall Date of determine the date of the audit and inspection by the compt- audit, &c. roller as well as his remuneration.

**76.** The comptroller shall, for the purposes of his duties, Access of have access to the office books, records and properties of the comptroller company, in the presence of the officers having charge of the to books. same. He may, if necessary, associate an expert with himself for the purpose of valuing the assets, provided he is previously authorized thereto by the board.

#### DIVIDENDS

**77.** The net proceeds after deducting all charges shall Net profits. constitute the profits of the company.

**78.** Upon these profits shall be levied first of all : Deductions  
a. Five per cent to constitute a reserve fund. This shall therefrom.

cease to be levied as soon as the reserve fund shall reach the amount of one fourth of the preferred stock issued;

b. The amount which the board may deem necessary as a sinking fund. The general meeting may increase or diminish such amount;

c. The necessary amount to pay cumulative interest at four per cent upon the preferred stock.

Allotment  
of surplus.

**79.** The surplus of the company's profits shall be allotted as follows :

a. Forty-five per cent upon the preferred stock ;

b. Forty-five per cent upon the ordinary stock ;

c. Ten per cent to the board of management.

#### ORGANIZATION

Organization  
meeting.

**80.** After the coming into force of this act, the founders of the company, that is to say the persons mentioned in the preamble or their assigns and all other persons who may associate with them by mutual consent, shall hold a meeting at the date determined by the majority of them for the purpose of proceeding to the organization of the company.

Decisions  
how adopted.

**81.** The decisions of the persons present shall be adopted by the absolute majority of all who are entitled to form part of the meeting.

Powers of  
meeting.

**82.** They shall have power :

a. To appoint the first board of management ;

b. To adopt by-laws;

c. To establish the amount of the organization expenses and authorize the payment thereof by means of paid up preferred stock ;

d. To authorize the issue of ordinary stock fully paid up in accordance with section 9 of this act;

e. To adopt all other measures suitable for the purposes of the company.

When busi-  
ness to be  
begun.

**83.** From and after such first meeting the company shall be organized and definitively constituted and may begin operations.

#### DISSOLUTION

Dissolution,  
&c.

**84.** The general meeting by the vote of the absolute majority of all the shareholders may at any time, on the proposition of the board, decide upon the dissolution of the company.

**85.** In the event of the company's dissolution, liquidation Winding up. shall be proceeded with according to law.

**86.** After payment of the debts, the balance of the assets shall be divided as follows : Payment of debts, and division of assets, &c.

*a.* In the first place a sum shall be levied sufficient to repay the privileged stock at par, with the cumulative interest at four per cent that may be due thereon;

*b.* The surplus shall afterwards be divided at the rate of ninety per cent between all the shareholders, preferred and ordinary, in proportion to the number of their shares, and ten per cent among the members of the last board of directors.

#### COMING INTO FORCE

**87.** This act shall come into force on the day of its sanction. Coming into force.

#### CHAP. 118

An Act to amend the charter of *Le Crédit Municipal Canadien*

[Assented to 14th April, 1908]

**W**HEREAS *Le Crédit Municipal Canadien* has, by its petition, represented that it is necessary to amend its charter, the act 3 Edward VII, chapter 106 and the acts 4 Edward VII, chapter 87 ; 6 Edward VII, chapter 76, and 7 Edward VII, chapter 100, amending the same ; Preamble.

Whereas the amendments hereinafter set forth were unanimously authorized by the shareholders and founders of the company at a general meeting specially called for the purpose, and held on the eighteenth of July 1907 ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Article 9b of the act 3 Edward VII, chapter 106, as 3 Ed. VII, c. enacted by the act 7 Edward VII, chapter 100, section 4, is 106, s. 9b, repealed.

**2.** Articles 17 and 18 of the said act as replaced by the Id., ss. 17, 18, acts 4 Edward VII, chapter 87, sections 5 and 6, and 7 Edward VII, chapter 100, section 5, are again replaced by the following:

**" 17.** The company shall be managed by a board of management of from five to ten members, of whom at all times one-third at least shall be British subjects and one-half at least members residing in Canada. Board of management.

**Their term of office, &c.** “**18.** The managers appointed at the general meeting who dealt with the accounts for the year 1906 and those subsequently appointed by the board and whose appointment shall be confirmed by the general meeting, shall remain in office until the general meeting which shall approve the accounts of 1910. At the expiration of such period the whole board shall be renewed.”

**Id., art. added after art. 32b.** **3.** The following articles are added after article 32b of said act as enacted by the act 4 Edward VII, chapter 87, section 8 and replaced by the act 7 Edward VII, chapter 100, section 9:

**Calling of meeting by shareholders.** “**32c.** A group of shareholders representing one fourth in value of the capital stock may at any time, by written application to the board of management, require the calling of a meeting for the transaction of the business specified in such application.

**Action by board.** The board of management is bound to call such general meeting within the fifteen days following such application by complying with the measures of publicity provided for by the by-laws of the company.”

**Powers of meeting.** “**32d.** The decision of all questions concerning all the interests of the company and more particularly all cases not provided for by the charter, shall rest wholly with the meeting.”

**Coming into force.** **4.** This act shall come into force on the day of its sanction.

## CHAP. 119

### An Act to incorporate The Scottish Trust Company

[Assented to 14th April, 1908]

#### Preamble.

**W**HEREAS Honorable J. P. B. Casgrain,, Land Surveyor and Senator ; Honorable Horace Archambeault, King's Counsel and Legislative Councillor ; Honorable Narcisse Pérodeau, notary and Legislative Councillor ; Aimé Geoffrion, King's Counsel, and John George Pyke, accountant, of the city of Montreal, have by their petition, prayed that they may be incorporated under the name of “The Scottish Trust Company” for the purpose of executing trusts and administering estates and as a safety deposit company, as a loan company and general financial or real estate agent, and for the purpose of receiving or lending monies and for other purposes :

And whereas it is expedient to grant such prayer :

Therefore, His Majesty, with the advice and consent of the

Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The several persons hereinbefore named and Edward Goff Penny, gentleman, landed proprietor, and such others who may hereafter become shareholders in the company created by this act, are incorporated under the name of "The Scottish Trust Company," and, by that name, may make and receive all deeds, conveyances, transfers, assignments and contracts necessary to carry the provisions of this act, into effect, and to promote the objects of the said corporation. Persons in-  
corporated.  
Name.
2. The principal place of business of the company shall be at the city of Montreal, but the company may establish branch offices in other places ; and the persons above named shall be the provisional directors of the company, and shall remain in office until the first election of directors. Principal  
place of busi-  
ness, &c.  
Provisional  
directors, &c.
3. The said company is hereby authorized and empowered:
  1. To accept, fulfil and execute all such trusts as may be committed to the company by any person or persons, or by any corporation, or by any court of law, on such terms as may be agreed upon, or as the court shall, in case of disability approve, and which are not contrary to the provisions of the Civil Code, and to take, receive, hold and convey, all estates and property, both moveable and immoveable, which may be granted, committed or conveyed to the company with its assent upon any such trust or trusts; Powers.  
Execution of  
trusts, &c.
  2. Generally to act as agents or attorneys for the transaction of business, the management of estates, the investment and collection of moneys, rents, interests, dividends, mortgages, bonds, bills, notes and other securities ; to act as agents for the purpose of registering, issuing and countersigning the transfers and certificates of stocks, bonds, debentures or other obligations of the Dominion of Canada, or of any province thereof, or of any corporation, association or municipality ; and to receive and manage any sinking fund therefor, on such terms as may be agreed upon ; Acting as  
agents for  
certain pur-  
poses.
  3. To construct, maintain and operate or lease suitable buildings and structures for the reception and storage of personal property of every nature and kind ; to act as agents, consignees and bailees thereof, and to take all kinds of personal property for deposit and safe-keeping on such terms as may be agreed upon ; and to make loans on the same ; Construction,  
&c., of build-  
ings, &c.  
Taking prop-  
erty on de-  
posit, &c.
  4. To lend money upon such terms as are deemed expedient, with power to take security for the same or any other indebtedness owing to the company, upon real estate, ground rents, Dominion, Provincial, British, foreign or other public Lending  
money, &c.

**Security for such loans.**

securities, or upon the stocks, shares, bonds, debentures or other securities of any municipal or other corporation, or upon goods warehoused or pledged with the company, or upon such other securities or guarantees as are deemed expedient, and to acquire, by purchase or otherwise, any of the aforesaid property or assets, which may have been pledged with the company, as security for such loan or indebtedness, and to re-sell the same.

**Proviso.**

However it cannot lend upon the security of bills of exchange or promissory notes;

**Acting as investment agents, &c.**

5. To act as an agency or association, for or on behalf of others who entrust it with money for loan or investment, and also to secure the re-payment of the principal or the payment of the interest, or both, of any moneys entrusted to the company or investment, and for the purpose of securing the company against loss, upon any guarantee or obligation, or any advance made by the company; to receive and dispose of any description of asset or security, which is conveyed, pledged, mortgaged, or assigned to, or warehoused with the company, in connection with such guarantee, obligation, advance or investment;

**Promoting companies, &c.**

6. To promote, or assist in promoting any other company, and, for such purpose, to subscribe for, buy and sell debentures, mortgage debentures and such securities of such other company, and otherwise to employ the money or credit of the company in any manner deemed expedient for any such purposes either by actually employing any portion of the moneys of the company for such purposes, or by placing on the market, or guaranteeing the issue of, or the payment of interest on the shares, debentures, mortgage debentures, obligations or securities of such other company; and to act as agents for the purpose of collecting and converting into money the securities and properties pledged, and to close and wind up the business of estates, persons, partnerships, associations or corporate bodies, and to do such incidental acts and things as are necessary for such purposes;

**Winding up estates, &c.**

7. (a) To act as trustee in respect of any debenture, bond, mortgage, hypothec or other securities, issued according to law by any municipal or other corporation, incorporated in the Province of Quebec, or elsewhere, or by any province of Canada, or by the Dominion of Canada;

**Holding property mortgaged, &c., to secure debentures, &c.**

(b) To hold property mortgaged hypothecated or pledged to it to secure the payment of debentures or other indebtedness, and to deal with such property in accordance with and for the purposes set forth in the instrument creating such mortgage, hypothec, pledge or obligation;

**Acting as receivers,**

(c) To accept and hold the office and perform all the duties of receiver, trustee, assignee, trustee for the benefit of cre-



itors, liquidator, executor, administrator, curator to insol-  
vent estates, guardian to the person or property, judicial se-  
questrator, tutor and subrogate-tutor to minors, curator to  
interdicts and all other persons to whom curators may be  
appointed, judicial adviser, curator to substitutions, and in  
all other cases where curators to property may be appointed,  
when appointed thereto in the same manner as individuals  
are appointed to fill such offices, but the company shall not  
be obliged to take the oath of office in cases where the same  
would otherwise be required, the whole notwithstanding the  
provisions of articles 364, 365, 366 and 367 of the Civil Code  
preventing a corporation from acting in any of the said capa-  
cities, which articles shall in no wise affect the present com-  
pany;

8. Besides the real estate acquired and held by it in the <sup>Real estate</sup>  
course of the due carrying on of its business, the company may <sup>that may be</sup>  
acquire, hold and convey real estate to an amount not ex-  
ceeding one million dollars, and in addition thereto : <sup>held.</sup>

(a) Such real estate as may be taken by it in compromise  
or payment of any pre-existing indebtedness;

(b) Such as may be purchased by it at any judicial or other  
sale, in foreclosure, or for the enforcement of any claim, mort-  
gage, trust or agreement in the nature of a pledge or mortgage  
of the same, acquired or taken by the company in the course  
of the due carrying on of its business ;

Provided always that the company shall sell any property <sup>Proviso.</sup>  
acquired by it by virtue of paragraphs (a) and (b) within  
fifteen years of the date of its acquisition of the same;

9. To guarantee the title to or quiet enjoyment of property <sup>Guaranteeing</sup>  
either absolutely or subject to any qualifications and condi-  
tions, and to guarantee any person interested or about to be-  
come interested in or owning or about to purchase or acquire  
any real property, against any losses, actions, proceedings,  
claims or demands by reason of any insufficiency or imper-  
fection or deficiency of title, or in respect of encumbrances,  
burdens or outstanding rights ; and also to guarantee any  
person or persons against any loss or damage, by reason of  
the failure on the part of any person or persons to make due  
payment of the whole or any part of any loan, advance, mort-  
gage or claim, hypothecary or otherwise, or the interest there-  
on, and to issue its guarantee certificates or policies in such form  
as it may determine, and for such remuneration as it may fix;

10. To borrow money at such rates of interests as may be <sup>Borrowing</sup>  
agreed upon, with full power to secure such loan by any mort-  
gages, hypothecs, stocks, bonds or other securities belonging  
to the company;

11. To examine, report upon and audit the books, accounts, <sup>Examina-</sup>

- tion, audit, &c., of books, &c. condition and standing of corporations, partnerships, and individuals when requested or authorized so to do by such corporations, partnerships and individuals, and also when required by an order of a court of competent jurisdiction.
- Buying, &c., certain stocks, &c. 12. To buy and sell and invest in the stock, bonds, debentures or obligations of municipal or other corporations, whether secured by mortgage or otherwise, or in Dominion, Provincial, British, foreign or other public securities;
- Guaranteeing investment. 13. To guarantee any investment made by the company as agent or otherwise;
- Selling, &c., mortgages, &c. 14. To sell, pledge, mortgage or hypothecate any mortgage or other security or any other moveable or immoveable property held by the company from time to time;
- Receiving remuneration for services, &c. 15. Generally to charge for, collect, and receive for all or any of the past or future services, duties, trusts or things rendered, observed, executed or done in pursuance of any of the powers of the company, all agreed or proper remuneration, besides legal costs, usual and customary charges and expenses, even when the said company is acting as tutor, sub-tutor, curator, judicial adviser, guardian, executor, administrator, trustee, mandatary or in any other capacity where the services are by law or usually gratuitous;
- Giving security bonds. 16. To give bonds for the faithful performance of any contract entered into with any person or corporation by any person or corporation.
- Receiving money on deposit, &c. 4. The said company shall have power to receive money on deposit, and to allow interest on the same.
- Acting as judicial sureties. 5. Subject to the provisions of the act 63 Victoria, chapter 44, the company may be surety upon any bond required in any judicial proceedings, and, subject to the discretion of the court, judge or official receiving such bond, the security of the company shall suffice in all cases where two sureties are now required.
- Remuneration therefor. The company may arrange for, receive and recover if necessary, such remuneration as may be agreed upon for being such surety.
- Security bonds, how executed. The company may execute the security bond by the manager or secretary, or any officer authorized for the purpose by resolution of the executive committee, signing it for the company and attaching the company's seal thereto.
- Record of such bonds. A complete record of all such bonds shall be kept at the head office of the company, and shall be at all hours open for the inspection hereinafter provided.
- Directors. 6. The company shall be managed by a board of directors not more than fifteen and not less than five in number.

The board of directors may from time to time, make and adopt any by-laws specifying the conditions and qualifications required of a shareholder to be eligible as director of the company, and such by-laws may be altered, amended, modified or repealed ; provided always that no such by-laws passed in virtue of this section shall be valid or acted upon until sanctioned by a resolution of the company passed and approved of by the votes of the shareholders, voting in person or by proxy, and representing at least four-fifths in value of all the shareholders of the company for the time being, at a special general meeting of the company duly called, for the purpose of considering such by-law or by-laws.

By-laws of directors.

Proviso.

7. The directors from time to time may by by-law delegate such of their powers as they see fit to an executive committee consisting of not less than three members of the board.

Delegation of powers by directors.

8. It shall be the duty of the provisional directors to open stock books, procure subscribers thereto, and to call a general meeting of the shareholders, as herein provided, and generally to do all such other acts as may be necessary for the organization of the company.

Duties of provisional directors.

9. The capital stock of the company shall be five hundred thousand dollars, divided into five thousand shares of the value of one hundred dollars each.

Capital stock.

The company shall not commence business until one-half of its capital has been paid up.

Commencing of business.

10. At each annual meeting it shall be the duty of the shareholders present to estimate and establish by resolution the real value of the shares of the company's capital stock, such estimation to be based on the financial results of the company's operations as shown by the statement of its affairs before them ; and if at any time during the course of the following year, any shares of the company's capital stock are offered for sale, or if the sale has not been recorded in the company's books, or if they have been transmitted by legacy, inheritance, the marriage of a female shareholder, or in any other manner whatsoever, then the said company or one or a greater number of the shareholders of the company, shall, during the two months after such sale, offer of sale or transfer shall have been served upon the company, have the privilege of acquiring the shares so offered for sale or transferred as aforesaid, on payment or offer of the price of such shares calculated according to their value as established at the last annual meeting of the company, the company having the first privilege of acquiring them and afterwards the share-

Valuation of capital stock at annual meeting, &c.

Right of company, &c. to acquire certain shares sold, &c., by certain shareholders, &c.

holders, after such delay to allow the company to deliberate and after such order and on such conditions as regards the respective shareholders, as may be determined by the by-laws of the company.

First share-  
holders' meeting.

**11.** So soon as one half the total capital stock of the company has been subscribed, the provisional directors or a majority of them, shall call a meeting of the shareholders, at such time and place, in the city of Montreal, as they may deem proper, giving, at least, ten days' notice in the *Quebec Official Gazette* and in two newspapers published in the city of Montreal, one French and one English.

Notice thereof.

Increase of capital.

**12.** The capital stock of the company may be increased from time to time to an amount not exceeding five million dollars by a vote of the majority of the shareholders, at a meeting duly called for the purpose, and such stock shall be issued and allotted as the directors may determine.

Notice thereof.

Notice of every such increase shall be given by the company in the *Quebec Official Gazette*, by an advertisement inserted three times consecutively.

Moneys, &c., of each trust to be kept distinct, &c.

**13.** (a) The moneys and securities of each trust shall always be kept distinct from those of the company and in separate accounts, and so marked in the books of the company for each particular trust as always to be distinguished from any other, in the registers and other books of account kept by the company, so that at no time shall trust moneys form part of, or be mixed with, the general assets of the company; and the company shall, in the receipt of rents and in the overseeing and management of trust and other property, keep distinct records and accounts of all operations connected therewith, and such trust moneys and other property shall not be liable for the ordinary debts and obligations of the company.

C.C., art. 981o, to apply.

(b) In the investment of any moneys received by the company in any of the capacities or qualities set forth in article 981o of the Civil Code, the company shall be subjected to the provisions of the said article.

Company's own bonds sufficient in certain cases.

(c) Notwithstanding any law or rule of practice to the contrary, whenever the company is appointed to any office it shall not be required to give any security other than its own bond for the due performance of its duties in connection with such office, unless the court see fit otherwise to direct.

R.S.Q., 4651—4693, to apply.

**14.** Articles 4651 to 4693 of the Revised Statutes shall apply to this company, in so far as they are not inconsistent with this act.

**15.** The president, vice-president, secretary or manager of the company shall be liable to coercive imprisonment, personally in those cases in which individuals exercising the same functions would be liable. Coercive imprisonment.

**16.** The company shall make an annual report of its operations to the Lieutenant Governor in Council. Report to Lieutenant-Gov. in Council.

**17.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 120

### An Act to incorporate The Clothing Manufacturers' Association of Montreal

[Assented to 25th April, 1908]

**WHEREAS**, Harris Vineberg, David S. Friedman, Joseph Preamble.

Levinson, Sol Kellert, Samuel Hart, Edward P. Wright, and Bernard Gardner, all of the city of Montreal, merchants, have prayed for the passing of an act to incorporate them with all those who may be associated with them under the name of "The Clothing Manufacturers' Association, of Montreal", for the purpose of procuring uniformity and certainty in the customs and usage of the business of manufacturing of and dealing in clothing and garments ; of diffusing accurate and reliable information relative to such manufacture and business ; of promoting a more enlarged and friendly intercourse and good understanding among those engaged in such trade ; of endeavoring to settle amicably such difficulties and disputes as may arise among its members and their employees, or between a member and the public ; of aiding in the establishment and maintenance of sound principles in connection with the clothing trade by supplying information regarding operations in such trade, and of having suitable rooms where the members of the association may meet in the city of Montreal ;

Whereas, it is expedient to grant the prayer contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Harris Vineberg, David S. Friedman, Joseph Levinson, Sol Kellert, Samuel Hart, Edward P. Wright, and Bernard Gardner, all of the city of Montreal, and all others who may be associated with them, are constituted a corporation under Persons incorporated.

**Name.** the name of "The Clothing Manufacturers' Association, of Montreal."

**Objects.** **2.** The object of the association is to procure uniformity and certainty in the customs and usage of the business of manufacturing of and dealing in clothing and garments ; to diffuse accurate and reliable information relating to such manufacture and business ; to promote a more enlarged and friendly intercourse and good understanding among those engaged in such trade ; of endeavoring to settle amicably such difficulties and disputes as may arise among its members and their employees, or between a member and the public ; of aiding in the establishment and maintenance of sound principles in connection with the clothing trade, by supplying information regarding operations in such trade, and of having suitable rooms where the members of the association may meet in the city of Montreal.

**Corporate seat.** **3.** The corporate seat of the association shall be in the city of Montreal ;

**First directors.** **4.** The persons hereinafter mentioned shall constitute the board of directors for the first year of the corporation's existence viz : Harris Vineberg David S. Friedman, Joseph Levinson, Sol Kellert, Samuel Hart, Edward P. Wright, Bernard Gardner, Jacob Cohen, Lyon Cohen, Harris Wener and Samuel Wener ;

**By-laws.** **5.** The corporation is authorized to make by-laws respecting the number and admission of its members, as well as the levying and payment of fees, contributions and fines due by them, and the expulsion of members for the reasons and in the manner which may be determined by such by-laws.

**Limited liability.**  
**Suits for fees, &c.** **6.** All fees, contributions and fines, payable under any by-law whatever, by the person thereunto compelled by such by-law, may be recovered by suit in the name of the corporation, and a certificate containing such allegation and bearing the signature of the secretary-treasurer of the corporation shall be received in all courts of justice as *prima facie* evidence of such allegations.

**Acquisition, &c., of immoveables.** **7.** The corporation is authorized to acquire, possess and hold immoveable property in the city of Montreal, for its own use, to an amount not exceeding the sum of fifty thousand dollars and likewise to sell, exchange, or hypothecate the same, and acquire others in lieu thereof for its own use whenever deemed expedient.

8. The corporation shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers, and a certified copy of its rules and regulations. Statement to Lt.-Gov., in Council.

9. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 121

An Act to amend the charter of Thomas Robertson and Company, Limited

[Assented to 14th April, 1908]

**W**HEREAS Thomas Robertson and Company, (Limited,) Preamble.  
incorporated by act of the Legislature of the Province of Quebec, 60 Victoria, chapter 85, has represented by its petition that it desires to amend its charter to increase its capital stock and extend its corporate powers, and it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The company shall have power, from time to time, upon a resolution of a special shareholders' meeting held for that purpose, and with the assent of two-thirds in value of the shareholders present or represented by proxy at such meeting, provided always that the said two thirds shall include a majority of the common stock, to increase its capital by the issue of additional stock, either ordinary or preferred, to such amount as may be necessary for the extension and development of the business of the company, provided always that the total amount of the company's capital stock shall not exceed the sum of two million dollars divided into shares of forty-eight dollars and sixty-six and two-thirds cents each (equivalent to ten pounds sterling.) Increase of capital.  
Proviso.

2. Section 2 of the act 60 Victoria, chapter 85, is replaced by the following : 60 V., c. 85, s. 2, replaced.

" 2. The company is empowered to take over, upon such terms and conditions as may be agreed upon, and continue, as going concern, the business at present carried on in the city of Montreal by the firm of Thomas Robertson & Co., as importers, and hardware and general metal merchants and manufacturers, Power to acquire certain business.

with power to do any other business of a like nature or incidental thereto.

Further powers.

The company is also empowered to carry on the business of manufacturers of plumbing and steam fitting supplies, iron and lead pipe, and any other business of a like nature or incidental thereto."

Acquisition of assets of other companies.

3. The company shall have the right to acquire the assets and good will of any business of a like nature, and may acquire the shares of any company doing a similar business, and may pay for the same, in whole or in part, in cash or in paid up stock of the company, as the directors may deem advisable.

Issue of bonds, &c.

4. The company is empowered, upon resolution of its directors, sanctioned at a special general meeting of its shareholders held for that purpose, and with the assent of two-thirds in value of the shareholders present or represented by proxy at such meeting, to issue bonds or debentures to an amount not exceeding two-thirds of the then paid up capital of the company, payable in such manner and at such rate of interest, not exceeding six per cent. per annum, as may be determined upon, and, upon redemption or payment of any such issue of bonds, to make other issues of bonds, bearing the same or a less rate of interest, upon complying with the same conditions; and the company is empowered to hypothecate its immoveable property in favor of a trustee or trustees as security for the payment of such bonds as may be so issued, or otherwise to secure the payment of such bonds by the transfer to trustees of the whole or part of its property, upon such terms and conditions as may be set forth in the trust deed.

Coming into force.

5. This act shall come into force on the day of its sanction.

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## CHAP. 122

## An Act to incorporate the Strathcona Fire Insurance Company

[Assented to 25th April, 1908]

**W**HEREAS the persons hereinafter named have by petition prayed to be incorporated, with others under the name of "The Strathcona Fire Insurance Company," to carry on the business of insurance against fire and the consequences thereof ;

Whereas a company of that kind would be very useful to the interests of the Province of Quebec, and it is in consequence expedient to grant the prayer to that effect contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Etienne Ferdinand Ernest de Varennes, notary, and member of the Legislative Council of the Province of Quebec, residing in the town of Waterloo ; François Amable Albert Labelle, notary, of Hull ; Joseph Henri Olivier, notary, of the town of St. Louis ; François-Xavier A. Boisseau, notary, of St. Hyacinthe ; Félix Henri Schetagne, notary, of Ste. Anne de Bellevue ; Louis Philippe Sirois, notary, of Quebec ; Michel Philéas Laberge, notary, of Cedar Hall ; Joseph Pierre Aphonse Bégin, notary, of Windsor Mills ; Valère Gosselin, notary, of St. Joseph de Beauce ; Joseph Alfred Nadeau, notary, of the town of Iberville, and Aldéric Archie Mondou, notary, of the village of Pierreville, in the county of Yamaska, and all other persons and corporations who may from time to time become shareholders in the said association are incorporated under the name of "The Strathcona Fire Insurance Company," and under such name shall have perpetual succession and a common seal, with power to change the same at will, and may sue and be sued, plead and be impleaded before any court whatsoever.

2. The company shall have power to carry on the business of insurance, re-insurance against fire and the consequences thereof, and to insure and reinsure all kinds of property, rights and interests and may for all such purposes at any time and in any place, make and execute policies, contracts, stipulations and agreements, written or printed, or partly written and partly printed, according to the requirements of each case, and generally do all matters and things relating thereto and

suitable to the requirements thereof ; the whole within the limits fixed by the Quebec Insurance Act.

- Head office.**     **3.** The head office of the company shall be in the village of Pierreville, in the county of Yamaska, in the district of Richelieu, but it may be transferred elsewhere by a decision of the majority of the shareholders present at a meeting specially called for that purpose, and after a notice of such change given each time in the *Quebec Official Gazette* ; the board of directors may also establish one or more offices in other places in the Province.
- Change of place thereof.**
- Provisional directors.**     **4.** The persons mentioned in section 1, shall constitute the provisional board of directors, and shall remain in office until the election of the subsequent directors. Five of them shall form a quorum.
- Capital stock, &c.**     **5.** The capital stock of the company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, and the shareholders shall, at each fresh issue of the said capital, be entitled to subscribe to the new capital in proportion to the number of shares they hold, in preference to all others.
- Subscription to capital, calls, &c.**     **6.** It shall be lawful for any person to subscribe for as many shares as he may deem advisable ; fifteen per cent. shall be paid on subscription and the remainder shall be payable at intervals of not less than sixty days by instalments of not more than ten per cent each. The amount and the date of the call shall be determined by the directors of the company : nevertheless, any subscriber may pay the whole in advance.
- Votes of shareholders, &c.**     **7.** Each shareholder shall have the right at the meetings of the company to one vote per share, and may vote by proxy provided the proxy holder be a shareholder in the company.
- Confiscation of shares.**     **8.** If any shareholder refuses or neglects to pay to the company any instalments due on any share held by him at the date specified, the directors may confiscate such share as well as the amount already paid thereon ; and every share so confiscated may be sold by auction by the directors, after such notice as they may order to be given, and the proceeds of the sale shall be used for the purposes of this act, provided always that in the event of the proceeds of such sale being more than sufficient to pay all the arrears and interest and costs of the sale, the surplus shall, on demand, be repaid to the owner of the share, and that no more shares shall be sold than are necessary to cover the arrears, interest and costs.
- Proviso.**

**9.** If the said arrears of instalments, interest and costs be paid before any share so confiscated and reverting to the company is sold, the said share shall revert to the person to whom it belonged before it was confiscated. as if the said instalments had been paid when they respectively became due.

Payment of arrears before share sold.

**10.** The capital stock, properties and business of the company generally shall be administered by a board of not less than five nor more than fifteen directors, and of such number, one shall be elected president and another vice-president. The majority of the directors shall constitute a quorum for the despatch of business, provided always that no one shall be a director of the company unless he be registered as a shareholder, holding not less than ten shares of the capital stock of the company and be not indebted for any arrears thereof.

Directors. Quorum.

**11.** So soon as three hundred thousand dollars of the capital stock have been subscribed and at least thirty thousand dollars paid in, the provisional directors may call a general meeting of the shareholders in some specified place in the village of Pierreville, after giving notice by registered letter to every shareholder. At such general meeting the shareholders present in person or represented by proxy shall elect such number of directors as the provisional directors may hereafter fix, who shall constitute the board of directors and remain in office until replaced or re-elected at the annual general meeting of the year following their election ; or, if not, at an adjourned meeting or at a meeting subsequently convened and held for such purpose.

General shareholders' meeting. Election of directors, &c.

Provided that the company shall not be authorized to commence operations until the deposit required by the Quebec Insurance Act has been made with the Treasury Department.

Beginning of business.

**12.** The company may amalgamate with any other fire insurance company or any other company doing or having the right to do any of the other kinds of business mentioned in this act.

Amalgamation.

**13.** The Quebec Insurance Act shall apply to the company in so far as its provisions are not inconsistent with those of this act.

Quebec Ins. Act to apply.

**14** This act shall come into force on the day of its sanction.

Coming into force.

## CHAP. 123

An Act to incorporate *La Compagnie d'Assurance de l'Union  
St. Jean-Baptiste du Canada*

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS, J. Flavien Béique, burgess ; C. Ovide Ostigny, physician, both of the city of Sa'aberry de Valleyfield ; Joseph Miville Deschenes, superintendent, of Beauharnois ; Edouard Gohier, real estate agent, of the town of St. Laurent, and Emile Ostigny, physician, of the city of St. Hyacinthe, have by their petition prayed to be incorporated for the purposes hereinafter set forth and it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

**1.** J. Flavien Béique, burgess and C. Ovide Ostigny, physician, of the city of Salaberry de Valleyfield ; Joseph Miville Deschenes, superintendent, of Beauharnois ; Edouard Gohier, real estate agent of the town of St. Laurent and Emile Ostigny, physician, of the city of St. Hyacinthe, together with all persons who may become shareholders in the company, are hereby incorporated under the name of "*La Compagnie d'Assurance de l'Union St. Jean Baptiste du Canada*," hereinafter called "The Company."

## Name.

## Head office.

**2.** The head office of the company shall be in the city of Salaberry de Valleyfield or in any other place in the Province of Quebec, that may be chosen by the board of directors.

## Powers of company.

**3.** The company may enter into all contracts and carry on the business of insurance and re-insurance on life and against sickness and accidents, in all its branches and forms.

## Provisional directors, &amp;c.

**4.** The persons mentioned in section 1, together with other persons, not exceeding seven in number, who may join them, shall be the provisional directors of the company and a majority thereof shall constitute a quorum for the despatch of business. They may at once open stock-books, obtain subscriptions to the capital stock of the undertaking, call up instalments of subscribed stock, receive payments thereon and generally do whatever may be necessary for the organization of the company.

## Capital stock.

**5.** The authorized capital of the company, shall be two hun-

dred thousand dollars, divided into shares of one hundred dollars each.

**6.** Before the company can begin operations, at least one hundred thousand dollars of the capital must be subscribed and not less than fifty thousand dollars of the subscribed capital be paid up. How much to be subscribed &c., before beginning business.

**7.** The company shall not be authorized to commence operations until it has made the deposit with the Treasury Department fixed by the Quebec Insurance Act. Deposit with Treasury Department.

**8.** At the annual general meeting the shareholders shall elect not less than five nor more than ten directors and no person shall be elected a director by the shareholders unless he holds in his own name and for his own use, the number of shares in the capital stock of the company required by the by-laws in force and has paid all calls due thereon and all liabilities incurred by him towards the company. Shareholders shall have a right to one vote for every share held by them, provided they have paid up all instalments due thereon. Election of directors, &c. Votes of shareholders.

**9.** The shares subscribed in the capital stock of the company shall be paid in such instalments, at such times and places and in such manner as shall be determined by the provisional directors and afterwards by the board of directors. Payment for shares.

**10.** The affairs of the company shall be managed by a board of not less than five, nor more than ten directors, the majority of whom shall be a quorum. Directors.

**11.** The company may amalgamate with any other company doing the same kind of business. Amalgamation.

**12.** The Quebec Insurance Act shall apply to the company in so far as its provisions are not inconsistent with this act. Que. Ins. Act to apply, &c.

**13.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 124

## An Act to incorporate The Modern Fire Insurance Company

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS the persons hereinafter named have by their petition prayed to be incorporated under the name of "The Modern Fire Insurance Company," for the purpose of carrying on the business of insurance against fire and its consequences, and have represented that an association of that kind would be very useful in the interest of the Province of Quebec, and it is expedient to grant the prayer of the petitioners ;

Therefore, His Majesty with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

**1.** Louis A. Lapointe, broker ; Rémi Gohier, real estate agent : Moses Heillig, manufacturer ; Charles Arthur Hogue, insurance inspector, all four of the city of Montreal, and Joseph Chevalier, trader, of Longue Pointe, and such other persons as may become shareholders of the company, are incorporated under the name of "The Modern Fire Insurance Company" ; and under such name shall have perpetual succession and a common seal which it may change at will, with power to sue and be sued, plead and be impleaded before any court whatsoever.

## Name.

## Provisional directors, &amp;c.

**2** The persons mentioned in the foregoing section shall constitute a board of provisional directors, and shall remain in office until the election of the subsequent directors. The majority of them shall be a quorum.

## Powers as to insurance, &amp;c.

**3.** The company shall have power to do all kinds of business of insurance and re-insurance against fire and the consequences thereof, and to insure and re-insure all kinds of property, rights and interests and for such purpose at any time and in any place, to make and execute policies, contracts, covenants or agreements, either written or printed or partly written and partly printed, according to the requirements of each case, and generally to do all matters and things connected with such purposes and suitable to the requirements thereof ; the whole within the limits fixed by the Quebec Insurance Act.

## Head office.

**4.** The head office of the company shall be in the city of Montreal.

**5.** The capital stock of the company shall be three hundred thousand dollars, divided into three thousand shares of one hundred dollars each. Capital stock.

**6.** Ten per cent of the amount subscribed shall be paid at the time of such subscription, other ten per cent sixty days from the date of such subscription and the balance shall be payable at intervals of not less than sixty days ; the amount and date of the calls to be determined by the directors of the company. Payment of capital.

**7.** As soon as one hundred thousand dollars of the capital stock shall have been subscribed and thirty thousand dollars of the capital stock paid up, the provisional directors may call a general meeting of the shareholders at some place to be designated in the city of Montreal, after giving notice during six consecutive days in a French and in an English newspaper. First general meeting, &c.

**8.** The company shall not be authorized to commence operations before at least thirty thousand dollars of the capital stock have been paid up nor until it has made the deposit with the Treasury Department fixed by the Quebec Insurance Act. Beginning of business.

**9.** The company may amalgamate with any fire insurance company on such terms and conditions as may be approved of by the Lieutenant-Governor in Council. Amalgamation.

**10.** The provisions of the Quebec Insurance Act shall apply to this act and form part thereof in so far as they are not inconsistent with the provisions of the same. Que. Ins. Act to apply.

**11.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 125

## An Act to incorporate The Horses, Cattle and Domestic Animals Insurance Company of Quebec

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS, the persons hereinafter named have by their petition prayed that they and others be incorporated under the name of *The Horses, Cattle and Domestic Animals Insurance Company, of Quebec*, for the purpose of carrying on insurance on life, sickness, accidents, the breeding and the produce of animals used by man, and other domesticated animals, and have represented that an association of this kind would be of great utility to the inhabitants of the province in general, and whereas it is expedient to grant the said prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

1. Theodose Louis Antoine Broet, of Honfleur-sur-Peribonka, Lake St. John, farmer ; Martin Madden, merchant, of the city of Quebec ; Arthur DuTremblay, manufacturer, of Roberval, Lake St. John ; André Duhamel, blacksmith, of Roberval, Lake St. John ; Paschal Horace Lindsay, insurance canvasser, of the city of Quebec ; Etienne Theodore Paquet, advocate, of the city of Quebec ; Gustave Langelier, farmer, of St. Felix du Cap Rouge, county of Quebec, and all such others persons who may from time to time become shareholders in the said company are hereby constituted a corporation under the name of *The Horses, Cattle and Domestic Animals Insurance Company, of Quebec*, and under such name they shall have perpetual succession and a common seal, with power to change the same at pleasure and they may sue and be sued, plead and be impleaded before all courts.

## Name.

## Provisional directors.

2. The persons named in the preceding section, shall be the provisional directors of the company. The majority of them shall form a quorum. They may at once open stock-books, obtain stock subscriptions in the enterprise, and make calls thereon ; they shall deposit all moneys received by them for stock subscription in a duly chartered bank of the Dominion of Canada ; they may use such money in the organization of the company, and generally for all purposes necessary to organize the said company.

## Their powers, &amp;c.

## Capital stock.

3. The capital stock of the company shall be two hundred thousand dollars, divided into eight thousand shares of twenty-five dollars each.



**4.** The company shall not begin its operation hereby authorized until fifty thousand dollars of capital shall have been subscribed, and fifteen thousand dollars paid up and the deposit fixed by the Quebec Insurance Act shall have been made with the Treasury Department, but the amount paid up by each shareholder shall not be less than ten per cent on the stock subscribed for by him. The company cannot exact more than two dollars and fifty cents on every twenty-five dollar share, for any subsequent call from any shareholder; the majority of all the directors may however, double this amount of such call of two dollars and fifty cents in a case of absolute necessity.

**5.** The calls can only be exacted from the shareholders after a written notice of at least fifteen days, sent them by the company.

**6.** The chief place of business of the company shall be in the city of Quebec, in the Province of Quebec.

**7.** The provisional directors shall remain in office during such time as may be necessary to organize the company and for the space of one year from the time of beginning operations.

**8. 1.** At the expiration of one year from the beginning of its operations, the provisional directors shall call a general meeting of the shareholders at such place as they may indicate, in the city of Quebec, and shall give at least ten days notice of the hour and place of such meeting by registered letter, sent to the last known address of each shareholder.

**2.** At such meeting and at every subsequent annual meeting, the shareholders present or represented by proxy who shall have paid at least ten per cent of the amount of the shares subscribed for by them, shall elect a board of directors of not less than five nor more than nine, the majority of whom shall form a quorum; the directors shall elect from among themselves, a president and a vice-president at the first meeting after the annual general meeting.

**9.** The directors shall have all powers necessary for the management and may make by-laws which shall have force of law in so far as they shall not be incompatible with the provisions hereof.

**10.** The company may amalgamate with any other company for insurance on animals.

**11.** No one shall be a director unless he owns in his own

Commence-  
ment of  
business.

Subsequent  
calls.

Notice of  
calls.

Chief place of  
business.

Term of  
office of pro-  
visional di-  
rectors.

First general  
meeting of  
shareholders.

Election of  
directors, &c.

Powers of  
directors.

Amalgam-  
ation with  
other com-  
panies.

Qualification  
of directors.

name at least twenty-five shares in the capital stock and has paid all calls made thereon and all debts contracted by him towards the company.

**Marking of animals insured.**

**12.** The company shall have the right to mark with a seal or other mark of its own, any animal insured by it.

**Powers of company.**

**13.** The company may :

- (a). Affect insurance on animals for the use of man or are domesticated, against death, accident or sickness ;
- (b). Treat the said animals in case of sickness at the expense of the company ; and in any case the assured shall have the right to employ the veterinary-surgeon he may wish for, provided the said veterinary-surgeon be a licensed veterinary surgeon and duly registered ;
- (c). Assure mares and cows and any other quadruped while breeding and against the consequences of giving birth, and against loss of the produce ;

**Clauses, &c., in policies.**

**14.** The directors may insert in the policies issued by the company, any clauses, conditions and restrictions that they may consider advisable in the interest of the company and not incompatible with the laws of this Province.

**Quebec Insurance Act to apply.**

**15.** The provisions of the Quebec Insurance Act shall apply to this act and be part thereof in so far as not incompatible therewith.

**Statement to Lieut.-Gov. in Council.**

**16.** The company shall furnish to the Lieutenant-Governor in Council an annual statement of its operations.

**Coming into force.**

**17.** This act shall come into force on the day of its sanction.

## CHAP. 126

An Act to incorporate *La Compagnie d'Assurance mutuelle des industries* •

[Assented to 25th April, 1908]

**W**HEREAS the persons hereinafter mentioned have, by Preamble.  
 their petition, represented that they wish to be incorporated, with such manufacturers as may join them under the name of "*La Compagnie d'assurance mutuelle des industries*," for the purpose, among other things, of insurance against fire, lightning, accidents to machinery and other accidents and all other eventualities in connection with moveables and immoveables used in and for factories, on the system of mutual insurance ;

Whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. David Levesque, manufacturer, of the parish of St. Philémon county of Bellechasse ; Pierre Nicole, manufacturer, of the parish of St. Paul, county of Montmagny ; François Coulombe, manufacturer, of the parish of St. Paul, county of Montmagny ; Georges Roy, manufacturer, of Notre-Dame du Rosaire, county of Montmagny ; Arthur Lemieux, manufacturer, of Ste. Euphémie, county of Montmagny ; Louis Roy, manufacturer, of Ste. Euphémie, county of Montmagny ; Eugène Tremblay, manufacturer, of St. François, county of Montmagny ; Jean-Baptiste Normand, manufacturer, of the town of Montmagny ; Joseph Thibault, manufacturer, of the town of Montmagny, and all manufacturers who may join them for the aforesaid purposes are constituted a corporation under the name of "*La Compagnie d'assurance mutuelle des industries*." Persons incorporated.

2. The head office of the company shall be at St. Philémon, Head office.  
 in the county of Bellechasse, but the board of directors may establish one or more offices at other places in the Province.

3. The first five persons above mentioned shall be the provisional directors and shall remain in office until the election of the subsequent directors. The majority of them shall form a quorum. Provisional directors, &c.

4. The provisional directors shall, during their term of office, have power to fill vacancies arising on their board, to Powers of provisional directors.

appoint a secretary, to open stock subscription books, to establish rates of insurance on the mutual fire insurance system and, under the conditions hereinafter set forth, to associate with themselves such persons as may form part of the company.

When business may be begun.

**5.** The company shall commence its operations when those who form and who may form part thereof shall have subscribed applications for insurance for an aggregate amount of at least one hundred thousand dollars and when such applications shall have been approved by the provisional board of directors, and that the deposit required by the Quebec Insurance Act shall have been paid to the Treasury Department.

First general meeting.

**6.** The first general meeting for the election of directors shall be held on the date to be fixed by the provisional directors. It shall be convened by means of a registered letter addressed to each member of the company at least ten days beforehand. The date and manner of convening subsequent annual meetings shall be determined by the by-laws of the company.

Who may be members and insure, &c.

**7.** Every manufacturer using for his industry steam, gasoline, gas, electricity, water or wind as motive power, may become a member and form part of the company and insure with it all the immoveables and moveables used in his industry, against loss and damage by fire, lightning, wind, boiler or motor explosions, the breaking of implements and all accidents whatsoever whether such loss or damage arise from accident or other causes, except loss and damage intentionally caused by the insured, by foreign invasion or by insurrection.

Que. Ins. Act to apply.

**8.** With the exception of such provisions thereof as are inconsistent with the provisions of this act, the Quebec Insurance Act shall apply to this company.

Capital stock.

**9.** The company is authorized to procure a capital of two hundred thousand dollars at the least and of one million dollars at the most, in shares of one hundred dollars each.

Amounts and dates of issues, &c.

**10.** The amount and date of the issues shall be determined by the board of directors, but at least thirty per cent. of the amount subscribed must be paid up at the time of such subscription, and the balance shall be payable at intervals of not less than sixty days by instalments, the amount whereof shall be determined by the directors of the company.

Notice of subsequent calls.

Notice of subsequent calls shall be given to the shareholders by registered letter mailed to their address.

When company may

**11.** As soon as the company shall have procured a capital stock and shall have complied with the Quebec Insurance Act,

it shall be empowered to insure all kinds of property, rights <sup>begin to in-</sup> and interests against loss or damage by fire or lightning under <sup>sure, &c.</sup> the mutual as well as under the non-mutual or cash system, enter into and execute contracts, agreements or stipulations, written or printed or partly written and partly printed, relating to such purposes and calculated to accomplish the same, the whole within the limits prescribed by the Quebec Insurance Act.

**12.** This act shall come into force on the day of its sanction. <sup>Coming into force.</sup>

## CHAP. 127

### An Act to incorporate *La Protection*

[Assented to 25th April, 1908]

**W**HEREAS, Samuel Charles Riou, advocate ; Emile Dubé, <sup>Preamble.</sup> merchant and contractor ; F. Emile Gilbert, physician ; Robert Lagueux, parish priest ; Joseph Onésime Girard, merchant ; Joseph Pierre Michaud, insurance agent ; all of the town of Fraserville in the county of Temiscouata and P. H. A. Caron, mayor, and Nap. Aubin, burgess, of Ste. Flavie Station, county of Rimouski, have by their petition prayed for an act to incorporate them with others under the name of "*La Protection*," for benevolent purposes and for purposes connected with insurance and pension funds ;

Whereas it is expedient to grant the prayer contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Samuel Charles Rioux, Emile Dubé, F. Emile Gilbert, <sup>Persons in-</sup> Robert Lagueux, Joseph Onésime Girard, Joseph Pierre <sup>corporated.</sup> Michaud, P. H. A. Caron, Nap. Aubin and such other persons, societies and corporations as now are or may hereafter become holders of shares of the capital stock of the company, shall constitute a corporation under the name of "*La* <sup>Name.</sup> Protection," and, under such name, may sue and be sued, for all intents and purposes.

**2.** The capital stock of the company shall be one million <sup>Capital.</sup> dollars divided into ten thousand shares of one hundred dollars each.

**3.** A sum of at least one hundred thousand dollars must <sup>How much</sup>

subscribed,  
&c., before  
business.  
Deposit.

be subscribed, whereof thirty thousand dollars must be paid in before the company can commence insurance business.

Before commencing such business the company shall deposit with the Treasury Department the amount specified by the Quebec Insurance Act.

Powers.

4. The company shall have power and authority to carry on the business of fire insurance, both under the mutual system by means of deposit notes and under the cash premium system, against accidents and employees' risks, of guarantee insurance as regards the faithfulness of employees, of insurance in connection with judicial or other guarantees and securities, and to do all business usually done by companies or associations for the objects above mentioned, provided that, before commencing the business of any group of insurances, the company shall comply with the Quebec Insurance Act as regards the deposit and all other matters.

Special de-  
partment,&c.

5. It shall be lawful for the company to establish a special department called : "*La Protection, Fonds de Pension,*" with the view of securing pensions to those who contribute to such fund for a certain number of years ; provided that the company shall not commence operations in connection with this kind of insurance, until it has deposited with the Treasury Department, in the shape of an additional deposit, the sum of five thousand dollars.

Special by-  
laws.

6. Special by-laws may be made by the directors concerning all the various groups of insurance above mentioned.

Benefits, &c.,  
not assign-  
able, &c.

7. The benefits and advantages to be derived from the pension fund shall not be assignable or liable to seizure except in favor of the company.

Rights of  
married  
women.

Married women who contribute to the same, shall retain full control of their rights.

Head office.

8. The head office of the company shall be in the town of Fraserville, until changed by the shareholders.

Provisional  
directors.

The persons named in section 1 of this act shall be the provisional directors of the company and the majority of them shall form a quorum.

Que. Insur-  
ance Act to  
apply.

9. The Quebec Insurance Act shall apply to the company in so far as its provisions are not inconsistent with those of this act.

Coming into  
force.

10. This act shall come into force on the day of its sanction.

## CHAP. 128

An Act to amend the act to incorporate *La Société de Secours  
Mutuels La Prévoyance*

[Assented to 25th April, 1908]

**W**HEREAS *La Prévoyance* has, by its petition, represented Preamble.  
that it is desirable that its act of incorporation be  
amended, and it is expedient to grant the prayer to that effect  
contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the  
Legislative Council and of the Legislative Assembly of Quebec,  
enacts as follows :

1. Section 1 of the act 5 Edward VII, chapter 68 is re- 5 Ed. VII, c.  
68, s. 1, re-  
placed.  
placed by the following :

"1. Guillaume Narcisse Ducharme, banker; the Honorable Persons in-  
corporated.  
Narcisse Pérodeau, notary and Legislative Councillor ; Louis  
Arsène Lavallée, advocate and King's Counsel ; P. Bon-  
homme, life insurance manager ; Severin Joseph Girard,  
physician ; Joseph d'Halewyn, Burgess ; Alphonse V. Pilon,  
undertaker, all of the city of Montreal ; Henri Bourassa, M.P.,  
Burgess, of Papineauville ; Ludger Hamelin, contractor, of  
the city of Ste. Cunégonde ; Arthur Giroux, accountant, of  
the city of St. Henri, and all other persons and corporations  
who may hereafter become shareholders in the company,  
are hereby incorporated under the name of "*La Prévoyance*" Name.  
or "*The Provident*" and the words "*the company*," where-  
ever they occur in this act, shall mean "*La Prévoyance*," "*The  
Provident*."

The persons above named shall be the provisional directors Provisional  
directors.  
of the company."

2. Paragraph (b) of section 13 of the act 5 Edward VII, Id., s. 13,  
amended.  
chapter 68, is replaced by the following :

"b. Against all accidents or casualties of any kind or arising Insurance  
against acci-  
dents.  
from any cause whatsoever in consequence whereof the insured  
may suffer material damage, pecuniary loss or injury or be  
prevented from attending to his occupation or, in the case of  
death by accident, to assure to the representatives of the per-  
sons insured, the payment of a certain sum on such conditions  
as may be agreed upon."

3. Paragraph (c) of section 13 of the act 5 Edward VII, Id., s. 13,  
amended.  
chapter 68, is replaced by the following :

"(c) Against all pecuniary loss and damages, costs and Insurance  
against cer-  
expenses which the assured may be compelled to pay to any

tain pecuniary losses.

persons or to their workmen or their employees or the representatives thereof, either under any laws providing for indemnities to workmen in force in Canada or in any of its provinces or in virtue of any other arrangement, the whole according to conditions specially agreed upon."

Id., s. 14, amended.

4. Paragraph (e) of section 14 of the said act is replaced by the following :

Guaranteeing performance of duties, &c.

"(e) To guarantee the faithful performance of any duty contract or undertaking by any person ; but the company shall deposit as security with the Provincial Treasurer the sum of five thousand dollars in addition to the deposit mentioned in section 7.

Certain insurance contracts, &c.

The company may enter into and effect contracts of insurance under any of the heads above mentioned, for several or all at the same time, and it may adopt such forms of policy as it may deem expedient.

Deposit.

Notwithstanding the Quebec Insurance Act, the company shall not be called upon to make additional deposits, provided that within eighteen months from the coming into force of the Quebec Insurance Act, its deposit with the Treasury Department amounts to the sum of twenty thousand dollars.

The provisions of this paragraph shall only come into force upon being approved of by the resolution of at least three-fifths in value of the shareholders of the company."

Coming into force.

4. This act shall come into force on the day of its sanction.

## CHAP. 129

An Act to amend the charter of the Montreal Street Railway Mutual Benefit Association

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS the Montreal Street Railway Mutual Benefit Association has, by its petition, represented that it is in the interest of the proper administration of its affairs that its charter, the act 4 Edward VII, chapter 102, be amended, and it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

4 Ed. VII, c. 102; s. added 4 Ed. VII, chapter 102 : 1. The following section is added after section 10 of the act



" 10a. The permanent employees of the Montreal Terminal Railway Company, together with the employees of all other street railway companies controlled by the Montreal Street Railway Company, may form part of the present corporation on the same conditions as the employees of the Montreal Street Railway Company and of the Montreal Park and Island Railway Company." after s. 10. New members of corporation.

2. The following section is added after section 11 of the act Id., s. added after s. 11.  
4 Edward VII, chapter 102 :

" 11a. The committee of management may also, on the vote of two-thirds of its members, admit any employee as member of the corporation, notwithstanding the conditions mentioned in section 10." Committee may admit further members.

3. Section 12 of the act 4 Edward VII, chapter 102, is replaced by the following : Id., s. 12, replaced.

" 12. The funds of the corporation shall be derived from the joint contributions of the Montreal Street Railway Company and the Montreal Park and Island Railway Company, and the Montreal Terminal Railway Company, as well as those of their employees who are members of the corporation ; and such companies are hereby authorized to pay such contributions to the corporation in accordance with and in the proportions specified by the by-laws of the corporation in force at the time of the sanction of this act". Funds of corporation.

4. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 130

### An Act to incorporate *La Société de Construction Permanente de Québec*

[Assented to 25th April 1908]

**W**HEREAS *La Société de Construction Permanente de Québec*, Preamble, incorporated under the provisions of chapter 69 of the Consolidated Statutes of Lower Canada has, by petition, represented that certain powers and amendments to its charter would contribute to its prosperity and be advantageous to the public with whom it does business ;

And whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the

Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

- Persons incorporated.**      **1.** The said *Société de Construction Permanente de Québec*, its present members, their successors and assigns, are and shall continue to be incorporated under the name of "*Société de Construction Permanente de Québec*."
- Name.**
- Head office.**      **2.** The head office of the society shall be in the city of Quebec and branches may be established at such other places in the Province of Quebec as the board of directors of the society may deem advisable.
- Capital stock, &c.**      **3.** The capital stock is now fixed at three hundred thousand dollars, consisting of six thousand shares of the nominal value of fifty dollars each. The society may continue its operations with its actual subscribed and paid up capital of not less than two hundred thousand dollars. The capital stock may be increased to the sum of five hundred thousand dollars by by-law approved and adopted by the shareholders in general meeting assembled, by a vote representing two-thirds in value of the total capital subscribed and paid up.
- Increase thereof, &c.**
- Objects.**      **4.** The object of the society is to lend money at simple or capitalized interest, with or without sinking funds :
- a.** On hypothecs to proprietors of immoveables situate in the Province of Quebec ;
- b.** On the security of hypothecary or privileged claims affecting immoveables in the Province of Quebec ;
- c.** To lend, with or without hypothec, to municipal and school corporations, *fabriques*, trustees for the construction or repair of churches in the Province of Quebec, such sums of money as they may have the legal right to borrow ;
- d.** On the security of immoveable property situate in the Province of Quebec and sold to the society with right of redemption, on such conditions as may be agreed upon ;
- e.** To acquire, by subrogation, assignment or transfer, hypothecary or privileged claims on immoveables situate in the Province of Quebec ;
- f.** To purchase federal or provincial securities, bonds or debentures issued by municipal or school corporations in the Province of Quebec and by incorporated companies doing business in the Province, and to re-sell the same if deemed advisable and to lend on the guarantee of such securities, bonds, obligations or debentures.
- Receiving money on**      **5.** The society is further authorized to receive money on

deposit and may create and issue obligations or debentures deposit; de-  
representing such obligations ; such debentures not to exceed bentures, &c.  
in the aggregate three-fourths of its subscribed and paid up  
stock, and its reserve fund.

Such obligations or debentures shall be redeemable at par Redemption  
at a date fixed for their maturity and shall bear interest, the of deben-  
rate, dates and method of payment whereof shall be determined tures, &c.  
by the board of directors of the society, but which shall not  
exceed the rate authorized by the laws in force in the Province  
of Quebec.

**6.** The society shall be managed by a board of directors Directors,  
consisting of five members elected annually by the shareholders  
at a general meeting called for the purpose. Immediately after  
the general meeting, the directors shall hold a meeting of the  
board to choose and appoint from among their number the  
president and vice-president of the society.

**7.** The present board of directors shall continue to manage Present di-  
the affairs of the society until the annual general meeting of rectors.  
the shareholders.

**8.** The society shall continue to be governed by its present Existing by-  
by-laws until they are modified, changed or repealed by the laws to re-  
society. main in force,  
&c.

**9.** The by-laws made, amended or repealed by the directors By-laws to be  
shall not come into force until sanctioned by resolutions of the sanctioned  
shareholders passed by at least two-thirds of the votes of the by share-  
shareholders present or represented by proxy at a general holders, &c.  
meeting.

A notice indicating the by-law sought to be repealed or Notice  
amended, together with the amendments, with the date and thereof.  
indication of the place where the meeting is to be held, shall be  
sent by registered letter to every shareholder at least ten days  
before the date of the meeting.

**10.** The provisions of chapter fourth of title eleventh of the Certain pro-  
Revised Statutes, being the law governing building societies in visions of R.  
this Province, not inconsistent with the provisions of this act, S. to apply.  
shall continue to apply to the society.

**11.** This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 131

An Act to revise and consolidate the charter of *Le Syndicat financier de l'Université Laval, à Québec*

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS *Le Syndicat financier de l'Université Laval, à Québec*, has by its petition represented :

That it is necessary to revise and consolidate its charter, the act 50 Victoria, chapter 32 ;

That the provisions hereinafter set forth were approved and authorized by the board of governors of the said syndicate at its meeting of the fifteenth May last (1907) ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons incorporated.  
Name.

1. The following persons are incorporated under the name "*Le Syndicat financier de l'Université Laval, à Québec* :

a. The Roman Catholic Archbishop, of Quebec and the Roman Catholic Bishops of the ecclesiastical Province of Quebec, his suffragans ;

b. The rector and professors of Laval University, at Quebec and the procurator of the Seminary of Quebec ;

c. The superiors of all the seminaries and colleges of the ecclesiastical Province of Quebec, affiliated with Laval University ;

d. All persons who have given or who will give the corporation an amount of at least one hundred dollars, and

e. All graduates of Laval University residing outside the ecclesiastical Province of Montreal, who have paid the corporation an amount of at least five dollars or who will in future pay the corporation an annual contribution of at least ten dollars, previous to the first of April.

## Place of business.

2. The chief place of business of the corporation shall be in the City of Quebec.

## Powers.

3. The corporation shall have :

a. All the powers conferred upon corporations by the Civil Code ;

b. The right to hold immoveables whose annual value shall not exceed one hundred thousand dollars, and

c. The right to borrow, sign, endorse, accept and negotiate

promissory notes, bills of exchange or other commercial securities or to become party to the same in any way whatsoever.

4. 1. All gifts and legacies to Laval University, without other Gifts and special designation, by any person residing outside the eccle- legacies. siastical Province of Montreal, shall belong to the corporation.

2. The corporation may, at any time, if it consider it necessary, hand over to the council of the university the whole or any part of the capital it may own, and the council of the university shall have the right to receive such capital, hold the same, and employ it as they may deem expedient for the purposes of the university.

5. The revenues from the property of the corporation shall Revenues be placed every year at the disposal of the council of Laval how applied. University which shall employ the same in the manner it deems suitable for the purposes of the University.

6. The corporation shall exercise its rights and powers Governors by the governors and by the board of management. and board of management.

7. The governors shall consist of governors *ex-officio*, Governors. elective governors and life governors.

8. 1. The governors *ex-officio* shall be :

Governors  
*ex officio*.

a. The Roman Catholic Archbishop of Quebec and the Roman Catholic Bishops of the ecclesiastical Province of Quebec ;

b. The rector and deans of the faculties of Laval University, at Quebec, and the procurator of the Seminary of Quebec ;

c. The superiors of all seminaries and colleges of the ecclesiastical Province of Quebec, affiliated with the university ;

d. Every natural person who has given or who will give the corporation an amount of at least five thousand dollars.

e. The persons designated for the purpose by any corporation or institution that has given or will give the corporation an amount of at least one thousand dollars.

2. Every person who gives or bequeaths a sum of five thousand dollars, shall have the right to name to the corporation, a person to fill the office of governor, and the person thus named, if accepted by a meeting of the Governors, shall hold office for life.

9. The elective governors shall be :

a. A professor of each of the faculties of Laval University, Elective at Quebec, elected by such faculty ; governors.

b. A graduate of the university, being a member of the corporation, elected in each faculty by the members of such faculty, also being members of the corporation ;

c. A governor for every amount of five thousand dollars given to the corporation, elected by themselves, from those who have given or will give the corporation an amount of not less than one hundred dollars, but not amounting to five thousand dollars, provided the number of such governors does not exceed twenty.

**Additional  
governors.**

**10.** The governors may appoint ten additional life governors as they may deem the same necessary.

**Voting qual-  
ifications.**

**11. 1.** At all general meetings of the members of the corporation for the election of governors or for other purposes :

a. Every graduate of Laval University, residing outside the ecclesiastical Province of Montreal, who has paid to the corporation a sum of at least five dollars but not amounting to one hundred dollars, or who, in future, will have paid to the corporation his yearly contribution of ten dollars previous to the first of April, shall be entitled to one vote ; and

b. Every person who has already given or who will give the corporation a sum of at least one hundred dollars, but not amounting to five thousand dollars, shall have one vote for every one hundred dollars so given.

**Proxies.**

**2.** Whosoever is entitled to vote under this section, may vote by proxy.

**Election of  
certain gov-  
ernors.**

**12.** If, at any meeting of the members of the corporation for the election of governors, there be not present in person or represented by proxy, at least twenty of the donors mentioned in paragraph c of section 9, the governors eligible under such paragraph, shall be elected by such of the donors, and of the professors of the university and graduates, being members of the corporation, who are present or represented by proxy. In either case the choice may be made among such electors indiscriminately.

**Term of of-  
fice of elect-  
ive govern-  
ors, &c.**

**13.** The elective governors shall be elected for three years and may be re-elected at the expiration of such term.

**Election by  
ballot, &c.**

**14.** The election of elective governors shall be by ballot, by the majority of votes and in accordance with the by-laws.

**Proceedings  
of governors.  
Annual  
meeting.**

**15.** The governors shall :

a. Meet at least once a year at the date specified by the by-laws for the purpose of receiving the report and statements

of account of the board of management ; of ascertaining whether the moneys of the corporation have been invested in accordance with the by-laws and whether the revenues have been placed at the disposal of the council of the university ;

b. Elect, every three years, two of their number to form part of the board of management ; Election of board of management.

c. When necessary, appoint one or more auditors to audit the accounts of the board of management and of the treasurer and report thereon. Appointment of auditors.

d. Make the by-laws they may deem necessary for the government and for the general purposes of the corporation ; By-laws.

e. Ratify, amend or repeal, wholly or in part, the by-laws adopted by the board of management, and Ratification of certain by-laws.

f. Have generally all the necessary powers for protecting the general interests of the corporation. Further powers.

**16.** 1. The Roman Catholic Archbishop of Quebec shall be *ex-officio* president of the governors, and, in his absence, all general meetings shall be presided over by any other governor chosen by the majority of the votes of the governors present. President, &c.

2. The quorum of the governors shall be ten. Quorum.

3. Any general meeting of the governors may be convened, at need, by the president of the governors or by the president of the board of management. Calling of meetings.

**17.** The board of management shall consist : Board of management.

a. Of the rector of Laval University, at Quebec, ;

b. Of a priest appointed by the Roman Catholic Archbishop of Quebec ;

c. Of a person chosen from among the professors of Laval University at Quebec, by the Roman Catholic Archbishop, of Quebec, and the rector of Laval University, and

d. Of two governors appointed every three years by the governors.

**18.** The rector of Laval University, at Quebec, shall be the president of the board of management ; he shall have the right to vote, and also a casting vote when the votes are equally divided, at every meeting of the board. Its president, &c.

**19.** The board of management shall have the exclusive administration and management of the affairs of the corporation and shall further exercise all the rights and powers of the corporation set forth in section 3 of this act. Powers of board.

**Its meetings.** **20.** The board of management shall meet at such times as it may specify by its by-laws and, further, whenever convened by its president or two of its members.

**By-laws of board, &c.** **21.** The board of management may make all the by-laws it may deem necessary for its government ; such by-laws shall be submitted to the governors at the first meeting following their adoption, and shall remain in force until repealed by the governors or by the board of management.

**Report of board to governors.** **22.** 1. Every year, at the date fixed by the by-laws, the board of management shall make a full and detailed report to the governors on its operations during the previous year.

**Copy of report for council of University, &c. Who are donors.** 2. A copy of such report shall be sent to the council of the University, and one shall be sent to the Provincial Secretary.

**23.** Every person who has undertaken or who will undertake to pay the premiums on life insurance policies payable to *Le Syndicat Financier de l'Université Laval à Québec*, shall be deemed a donor within the meaning of this act :

a. To the amount of the aggregate of the premiums paid to obtain a paid-up policy, until the amount of the policy is paid, and

b. To the amount of such policy when it is paid to the syndicate.

**Certain acts ratified.** **24.** All acts connected with the exercise of the rights and powers of *Le Syndicat Financier de l'Université Laval, à Québec*, the administration of its funds and the investment of its moneys, are declared valid and are ratified by this act.

**Certain by-laws continued in force.** **25.** The by-laws of *Le Syndicat Financier de l'Université Laval, à Québec*, and the board of management shall respectively be the by-laws of the corporation and of the board of management hereby created, and shall be applied until amended or repealed.

**Syndicate same corporation as former syndicate, &c.** **26.** The syndicate hereby constituted shall have all the rights and privileges, and shall assume all the obligations of the syndicate incorporated by the act 50 Victoria, chapter 32, and shall be deemed to form but one and the same corporation with it.

**50 V., c. 32, repealed.** **27.** The act 50 Victoria, chapter 32 and amendments thereto are repealed.

**Coming into force.** **28.** This act shall come into force on the day of its sanction.

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## CHAP. 132

An Act to incorporate *L'Action Sociale Catholique*

[Assented to 14th April, 1908]

**W**HEREAS *abbé* Paul Eugène Roy, of the parish of Sacré Cœur de Jésus, near Quebec ; *abbé* Joseph Hallé, of the town of Levis ; *abbé* Charles Gagné, of Notre-Dame de Québec, all three priests of the Catholic Church ; Messrs F. X. Garneau, merchant ; Nazaire Fortier, manufacturer ; Cyrille Tessier, notary ; Charles Grenier, notary ; Adjutor Rivard, advocate ; Onesime Pouliot, merchant ; Jules Dorion, journalist, all of the city of Quebec ; Charles Narcisse Hamel, advocate, of the parish of Charlesbourg and Charles Joseph Magnan, professor, of the parish of St. Jean-Baptiste de Québec, have by their petition represented:

That, by a pastoral letter dated at Quebec the 31st March, 1907, His Grace *Monseigneur* L. N. Bégin, archbishop of Quebec, established *l'œuvre de l'action sociale catholique et de la presse catholique*;

That, by a pontifical brief dated the 29th May, 1907, His Holiness Pius X was pleased to encourage the undertaking and praised the project ;

Whereas the persons hereinafter mentioned have in fact founded the said *œuvre de l'action sociale catholique et de la presse catholique* in Quebec, under the supervision and patronage of the archbishop of Quebec and conformably to the views expressed in the said pastoral letter;

Whereas the persons above mentioned have, for the purpose of prosecuting such work, prayed to be incorporated with certain powers under the name of *L'Action Sociale Catholique*, and it is expedient to grant their prayer;

Therefore, His Majesty with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The said Paul Eugène Roy, Joseph Hallé, Charles Gagné, Persons in-  
F. X. Garneau, Nazaire Fortier, Cyrille Tessier, Charles Gre-  
nier, Adjutor Rivard, Onesime Pouliot, Jules Dorion, Charles  
Narcisse Hamel, Charles Joseph Magnan and all other persons  
who, under the by-laws to be adopted, shall succeed or join  
them and become members of the association, are hereby in-  
corporated under the name of "*L'Action Sociale Catholique*" Names.

2. The corporate seat of the corporation shall be in the city Corporate  
seat.  
of Quebec.

**Objects.**

**3.** The object of the corporation is to labour for the promotion of Catholic social progress, and to that end to unite minds and wills in a common effort, to group together the Catholic social works already in existence and to create new ones ; to raise up and encourage works in connection with propagandism, associations for study, conferences, congresses and associations of a nature to foster the sense of Catholic life ; to promote the diffusion of good and sound literature ; provided that the corporation shall not exercise any control over the administration or finances of any of the associations mentioned in this section.

**Means of action.**

**4.** Its means of action shall be the establishment, organization and direction of associations of a religious, economical or social order ; the organization and direction of, associations for study, conferences and congresses ; propagandism by word of mouth and by writings ; undertakings connected with printing and book-selling.

**Powers.**

**5.** The corporation shall have perpetual succession and may have a common seal which it may change at will and appear before the courts as any person may do ;

Receive, acquire and hold moveable or immoveable property under any legal title, by purchase, lease, gift, will, legacy or otherwise ; to collect the revenue therefrom ; lease, sell, exchange, transfer, alienate or otherwise dispose of the same by any legal title whatsoever ; borrow and contract financial obligations, provided the value of the immoveables held at any one time by the corporation shall not exceed two hundred thousand dollars ; and the corporation may hypothecate its immoveables ;

Collect subscriptions and assessments from its members ;

Found, organize and maintain regional, parochial, public and circulating libraries ;

Organize and direct associations for study, conferences and congresses ;

Establish in other places in the Province of Quebec, committees, clubs, offices, agencies and branches of the corporation ;

And generally exercise all the powers pertaining to ordinary civil corporations, together with such powers as may aid the corporation to attain its end and promote the utilization of its means of action and the carrying out of its undertakings and especially those mentioned in section 4 of this act.

**Central committee.**

**6.** The management and general administration of the corporation shall be vested in a permanent central committee. The said Paul Eugene Roy, Joseph Hallé, Charles Gagné, F. X. Garneau, Nazaire Fortier, Cyrille Tessier, Charles Gre-

nier, Adjutor Rivard, Onesime Pouliot, Jules Dorion, Charles Narcisse Hamel and Charles Joseph Magnan, shall be the first members of the said committee.

**7.** The permanent central committee may adopt such by-laws, ordinances, rules, resolutions and decisions, not contrary to law, as they may deem expedient, and modify, amend and repeal the same in connection with the following: By-laws, &c.,  
of central  
committee.

The organization, management and government of the corporation and of its various branches ;

The management and administration of the affairs and property of the corporation ;

The organization, working and government of the said permanent central committee ; the number of its members, their appointment and removal, and the manner in which they shall be replaced ;

The establishment, constitution, organization, attributes and working of the other committees, clubs, councils, offices, agencies and branches of the corporation ; the number, selection, appointment, resignation and replacing of their members ;

The number, selection, appointment, removal, the attributes, duties and remuneration of the officers, agents, servants and employees of the corporation and of its various committees, councils, offices and branches ;

The qualification, classification, admission, rights, resignation, expulsion and the assessments or contributions of the members of the corporation ;

The employment of the moneys, the creation and collection of the corporation's revenues ;

The adoption, amendment, putting into force and repeal of the by-laws, ordinances, rules and resolutions of the said permanent central committee, and generally ;

Everything connected with the objects of the corporation, its organization, government, working, administration, operations, the putting into operation of its means of action and the exercise of its powers.

The affairs of the corporation shall be managed, conducted and administered in accordance with such by-laws, ordinances, rules and resolutions.

**8.** The corporation shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Provincial Secretary a detailed statement of its moveable and immoveable property, the names of its officers, and a certified copy of its rules and regulations. Statement to  
be sent to  
Lieut.-Gov.  
in Council.

**9.** This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 133

An Act to incorporate *La ligue-anti-alcoolique, de Montreal*

[Assented to 25th April 1908]

## Preamble.

**W**HEREAS, Honourable Henri T. Taschereau, Chief Justice of the Province of Quebec ; Honorable Eugene Lafontaine, Judge of the Superior Court; Honorable Jean Damien Rolland, legislative councillor; Honorable Alphonse Desjardins, advocate; Stanislas D. Vallières, contractor ; Victor Morin, notary ; L. J. V. Cléroux, physician and doctor of medicine ; J. V. Desaulniers, teacher and principal of an academy ; Joseph C. Beauchamp, accountant ; Louis Wilfrid Sicotte, Judge of the Sessions ; Onésime Martineau, contractor; Emmanuel Persilier Lachapelle, physician ; Arthur Gagnon, merchant ; Alban Germain, advocate ; and L. Raoul de Lorimier, advocate, all of the city of Montreal, have by their petition, represented that they have decided to establish an association with the object of contending against the abuse of spirituous liquors and against the progress of alcoholism, and have for such purpose prayed to be incorporated under the name of "*La ligue anti-alcoolique, de Montreal*" ;

And whereas such association would be one of public utility, and it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

**1.** Honourable Henri T. Taschereau, Chief Justice of the Province of Quebec ; Honorable Engène Lafontaine, judge of the Superior Court; Honorable Jean Damien Rolland, Legislative Councillor ; Honorable Alphonse Desjardins, advocate ; Stanislas D. Vallières, contractor ; Victor Morin, notary ; L. J. V. Cléroux, physician and doctor of medicine ; J. V. Desaulniers, teacher and principal of an academy ; Joseph C. Beauchamp, accountant ; Louis Wilfrid Sicotte, Judge of the Sessions ; Onésime Martineau, contractor ; Emmanuel Persilier Lachapelle, physician ; Arthur Gagnon, merchant ; Alban Germain, advocate ; and L. Raoul de Lorimier, advocate ; together with all persons who shall join them and become members of the association under such by-laws as it may make, are incorporated under the name of "*La ligue anti-alcoolique de Montreal*" hereafter called "The League" with the objects mentioned in the preamble.

## Name.

## Corporate seat.

**2.** The corporate seat of the league shall be in Montreal.

**3.** The league shall have the powers which belong to civil Powers.  
and commercial corporations including that of holding, acquiring, hypothecating and alienating immoveables, the value whereof shall not exceed twenty-five thousand dollars.

**4.** The means of action of the league shall be : Means of  
Propagandism by word of mouth, (courses and lectures) ; action.  
Propagandism by writings;  
Temperance works;  
All legal means suitable for contending against alcoholism  
and diffusing temperance principles and habits.

**5.** The league shall consist : Sections, &c.  
*a.* Of a central section ;  
*b.* Of local sections ;  
*c.* Of affiliated or associated sections ;  
*d.* Of isolated members.

**6.** The seat of the central section shall be in Montreal, at Seat of cen-  
the corporate seat of the league whereof it shall be the nu- tral section.  
cleus ; it shall pass by-laws, establish the amount of the contributions and adopt regulations for its internal government as well as those it may deem advisable to apply to the local Powers of  
sections and affiliated or associated societies. Its officers shall said section.  
be those of the general board.

**7.** The local sections shall be under the direction and con- Direction of  
trol of the central section. They shall enjoy full and entire sections, &c.  
autonomy and initiative within the limits of the constitution and by-laws of the league.

**8.** It shall be the duty of the local sections to keep in com- Communica-  
munication with the central section ; to send it, once a year, tion with cen-  
a statement showing their position, and each year also a report tral section,  
of all their works and progress. They shall contribute to the &c.  
general expenses of action and propagandism, by means of a contribution fixed by the by-laws.

**9.** Societies and organizations of all kinds may co-operate Co-operation  
with the league without distinction of nationality, creed or sex. of other so-  
cieties, &c.

**10.** Every person approved by the general board may have Isolated  
himself inscribed directly at the central section as an isolated members, &c.  
member ; every person belonging to a temperance society shall be *ex-officio* a member of the league, on condition that he apply therefor.

**11.** The society shall be managed free of charge by a gen- General  
board.

eral board consisting of a president, a first vice-president, four assistant vice-presidents, a general secretary, two assistant secretaries, a treasurer and fifteen general directors delegated by each of the local sections.

Members of  
board how  
appointed,  
&c.

**12.** The members of the board shall be appointed by the general meeting of the league, to be held annually and it may also elect honorary officers.

Resources of  
league.

**13.** The resources of the league shall consist of the property and revenues of all kinds belonging to it and all the proceeds of :

1. The annual contributions ;
2. All gifts and legacies made to it ;
3. All subsidies that may be granted it ;
4. The receipts which may be realized by means of its action.

By-laws of  
council.

**14.** The council shall have power to make by-laws for the carrying out of this act and regulate the organization of the society and of its sections, its works and its management, the admission and exclusion of members, the amount and method of payment of assessments, the meetings and sessions, the management and disposal of property, the powers and duties of the officers and all other matters on which it may be necessary to make by-laws.

Statement to  
Lieut.-Gov.  
in Council.

**15.** The corporation shall transmit to the Lieutenant-Governor in Council, whenever thereunto required by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers and a certified copy of its rules and by-laws.

Coming into  
force.

**16.** This act shall come into force on the day of its sanction.

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## CHAP. 134

An Act to incorporate " The Old Brewery Mission "

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS John Wesley Palmer, merchant ; John Cunningham, baker ; John Leslie, auditor ; Mrs. John Leslie ; Mina Douglas, spinster ; Charles C. Holland, merchant ; John Torrance, merchant ; W. Godbee Brown, agent ; Donald W. Ross, merchant ; Mrs, Frederick Larmonth, wife of Frederick Larmonth, clerk, all of the town of Westmount, and Thomas

J. Parkes, insurance agent ; Frank D. Adams, professor of McGill University ; Mrs. Frank D. Adams ; James A. Mathewson, merchant ; A. Bopp, painter ; James A. Ogilvy, Jr., merchant ; John Dillon, gentleman ; John S. Gibb, secretary ; R. L. Werry, newspaper employee ; Richard Tees, undertaker ; George V. Kneen, carpenter ; Frederick W. C. Meyers, clerk ; W. H. Goodwin, manager ; Samuel A. Finley, architect ; George E. Drummond, manufacturer ; Herbert B. Ames, Member of Parliament ; James Allardice, manager ; J. K. McNutt, merchant, all of the city of Montreal, have, by their petition, prayed for the incorporation of a company known under the name of "The Old Brewery Mission" for the purpose of distributing charity and providing for the spiritual and temporal needs of the poor of the city of Montreal and for other benevolent purposes of a like nature ; and whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The petitioners hereinabove named and such persons as Persons in-may hereafter become members of such corporation are hereby incorporated. constituted a corporation under the name of "The Old Brew-Name. ery Mission."

2. The head office of the corporation shall be in the city Head office. of Montreal.

3. Under such name the corporation shall have perpetual Powers, &c. succession and may have a common seal, with power to change the same if they think proper, and may, under the said name, contract, sue and be sued and may acquire by any legal title, hold, possess and enjoy, to and for the use of such corporation any moveable or immoveable property, which may be sold, exchanged, given or bequeathed to the said corporation, and may sell, convey, let or lease the same, and hypothecate its immoveables provided always that such real estate shall not exceed two hundred thousand dollars in value.

4. The officers of the said corporation shall consist of a Officers, president, vice-president, treasurer, assistant-treasurer and a secretary. The officers with such other members as may be chosen for that purpose shall form the board of directors of Directors. the said corporation.

5. The said corporation shall have power to make by-laws By-laws, &c. not inconsistent with the laws of this Province or of the Dominion, for the administration and improvement of its property

and affairs, for the investment of its moneys, for acquiring or disposing of its property, for the management of the institution and its internal government, for the admission and expulsion of its members, and for the subscriptions to be paid by them, for the powers and duties of its directors, officers and employees, as well as for their removal, and such by-laws, rules and regulations at its pleasure to modify, amend, suspend, repeal or replace.

Certain persons to be officers *pro. tem.* &c.

6. The present officers and the present board of management and advisory board shall constitute the officers of the present corporation and shall remain in office until replaced under the said by-laws.

Coming into force.

7. This act shall come into force on the day of its sanction.

## CHAP. 135

### An Act to amend the charter of The Alexandra Hospital

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS The Alexandra Hospital of the city of Montreal, has by its petition represented ;

That by the act 3 Edward VII, chapter 116, it was incorporated as a body politic and corporate and by the act 7, Edward VII, chapter 123, its charter was amended ;

That by the said act 7 Edward VII, chapter 123, it is provided that there shall be sixteen governors of the corporation four of whom, namely the mayor of the city of Montreal, the President of the Society of the Montreal General Hospital, the President of the Royal Victoria Hospital and the President of the Western Hospital of Montreal, shall hold office by reason of their official position ;

That it is desirable in the interest of the hospital, that the number of governors shall be increased to seventeen, of whom the chairman for the time being of The Hygiene and Statistics Committee of the city council of the city of Montreal, or such other member of the said city council as it may nominate shall be one ;

And has prayed for an act to amend the charter of the said The Alexandra Hospital, by increasing the number of governors of the said hospital, and

Whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :



1. The first section of the act 7 Edward VII, chapter 123 7 Ed. VII, c. 123, s. 1, replaced by the following :

" 1. The first clause of section 4 of the act 3 Edward VII, chapter 116, as replaced by the act 7 Edward VII, chapter 123, section 1, is again replaced by the following :

" 4. There shall be seventeen governors of the corporation, four of whom, namely the mayor of the city of Montreal, the president of the Society of the Montreal General Hospital, the president of the Royal Victoria Hospital and the president of the Western Hospital of Montreal, shall hold office by reason of their official position ; one shall be the chairman of the Hygiene and Statistics Committee of the city council of the city of Montreal, or such other member of the said city council as it may nominate ; three shall be elected annually by the board of governors of The Royal Victoria Hospital, three by the board of governors of the Society of The Montreal General Hospital, two by the board of governors of the Western Hospital of Montreal, and four by the associates hereinafter referred to."

2. This act shall come into force on the day of its sanction.

## CHAP. 136

### An Act to incorporate *l'Hôpital St-Luc*

[Assented to 25th April, 1908]

**W**HEREAS, the persons hereinafter mentioned, have by their petition, prayed to be incorporated under the name of "*l'Hôpital St-Luc*" with the view of assisting the poor and especially school children ,

Whereas it is established by the last reports of the sanitary physicians, of the city of Montreal, that a large number of the children attending school, suffer from diseases of the eyes, ears, nose, throat and the teeth ;

Whereas it is desirable, in the public interest, to spread the science of hygiene generally ;

Whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Messrs Louis Payette, contractor ; J. O. Labrecque, merchant ; Emery Lalonde, doctor of medicine ; L. R. Mont-

Ed. VII, c. 123, s. 1, replaced.  
3 Ed. VII, c. 116, s. 4, amended.  
Governors, their appointment and election.

Coming into force.

Preamble.

Persons incorporated.

briant, architect ; F. X. Choquet, magistrate ; Husmer Lancot, magistrate ; F. A. Fleury, doctor of medicine ; Alphonse Valiquette, gentleman ; J. M. Wilson, merchant ; P. R. Du Tremblay, advocate ; Alfred Marcil, doctor of medicine ; and Henri Desmarais, doctor of medicine, are hereby incorporated with their successors, under the name of "*L'Hôpital St-Luc*."

Name.

Corporate  
seat.

2. The corporate seat of *L'Hôpital St-Luc* shall be in the city of Montreal.

Powers.

3. The corporation shall have perpetual succession and may have a common seal with power to change or alter the same as often as it may deem expedient, and the corporation may, under the same name, contract and bind itself by contract, sue and be sued, plead and be impleaded, in all courts and places in this Province. Nevertheless the members of the corporation shall in nowise be personally liable for the debts thereof.

Objects.

4. The object for which the present corporation is constituted, is to relieve the afflicted, orphans, especially poor children in the schools and all similar objects; to have lecturers who will teach hygiene in the schools and elsewhere; to give lessons, warnings, technical information on medicine and all its specialities.

Acquisition,  
&c., of prop-  
erty. &c.

5. The corporation shall have the right to assign and acquire moveable and immoveable property, moneys or moveable effects, which have been or may be hereafter lawfully given, granted, appropriated, left, or bequeathed, in any manner to the said *Hôpital St-Luc* for the purposes for which the said corporation is constituted, on terms and conditions not contrary to the purposes of this act, and provided always that the immoveable property to be acquired by the corporation for such permanent purposes shall not exceed the value of two hundred thousand dollars.

Proviso.

Entering  
into con-  
tracts, &c.

6. The corporation shall have the right to sell, purchase, assign, transfer, lease, alienate directly or indirectly, and do all things or enter into all contracts permitted by the laws of this Province for the purpose of attaining the end in view, and also of having lecturers to give free lectures on hygiene, to school children ; to open clinics and dispensaries ; to give them a suitable name ; to give information, readings, special courses on the technical part of medicine and in particular on diseases of the eyes, ears, nose, throat, teeth and mouth and the duties of sick-nurses; found and establish a house for those suffering from tuberculosis and cancer, a practical

school, (post graduate courses) laboratories, schools for male and female nurses and grant and deliver diplomas for such nurses to give medicines, spectacles and other things to poor children in the schools ; to admit sick persons and care for them, regard being had to the restrictions and charges that may be determined and prescribed by the regulations of the said corporation.

**7.** The corporation shall consist of life members and ordinary members. All persons giving the sum of one hundred dollars and over shall be life members, and all subscribers of five dollars and over, yearly, shall be ordinary members, provided they be elected according to the by-laws of the corporation.

**8.** The board of directors shall have the right to appoint life members.

**9.** The affairs of the corporation shall be under the control and management of a board, consisting of seven directors fulfilling the conditions prescribed by this act, or by the by-laws of the corporation, but such number may be increased or diminished in accordance with the by-laws of the corporation as may be deemed necessary or expedient, but they shall never be less than five in number.

**10.** The board of directors shall have one or more honorary presidents, one president, two vice-presidents, one secretary, one treasurer and all such other officers as the directors deem advisable to associate with them, and the election of such officers shall take place every year at the date fixed by the by-laws.

**11.** The directors shall, in all things, have the powers necessary for administering the affairs of the said corporation, and for executing on behalf of the corporation, every contract it is authorized to enter into.

They may pass by-laws, from time to time, for the purpose of defining the services, the appointment, the employment, duties and the removal of agents, officers, physicians, druggists, dentists, mechanics and servants of the corporation, the management and investment of the moneys and benefits given, the imposition and recovery of penalties and confiscations to be determined by the by-laws, and the manner in which all the private affairs of the corporation shall be managed. They may, from time to time, repeal and amend the by-laws of the corporation and put them again in force, and such rules and by-laws shall have the same force and effect as if they had been incorporated

Probative  
force of co-  
pies.

in this act, and copies thereof, signed by the president and the secretary of the corporation, shall be admitted as *prima facie* evidence thereof in all courts of justice.

Provisional  
directors.

**12.** The persons mentioned in section 1 of this act shall constitute the provisional board of directors of the corporation and, in such, capacity, they shall manage the affairs of the corporation until the first general meeting which shall be convened by an eight days' notice, published in an English and in a French newspaper, of Montreal, given by two of the provisional directors of the corporation within six months from the coming into force of this act.

Change of  
quality of  
ordinary  
members.

**13.** The quality of ordinary member referred to in section 7 of this act may be changed, if need be, by the by-laws of the corporation.

Statement to  
Lt.-Gov. in  
Council.

**14.** The corporation shall be bound, when called upon by the Lieutenant-Governor in Council, to make a report of its operations and to produce a statement of the immoveables held under this act, also a copy of its regulations and the names of its officers, attorneys and administrators.

Coming into  
force.

**15.** This act shall come into force on the day of its sanction.

## CHAP. 137

### An Act to incorporate *l'Hôpital Ste. Justine*

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS, the persons hereinafter named have, by their petition, represented that they wish to be incorporated with their successors for the purpose of receiving, caring for and bringing up in their houses or hospitals, babies and sick, indigent or other children, of all creeds and nationalities, and whereas it is expedient to grant the prayer to that effect contained in such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts, as follows :

Persons in-  
corporated.

**1.** Madame Raoul Dandurand, Lady Lacoste, Mesdames J. R. Thibaudeau, F. L. Béique, A. A. Thibaudeau, F. D. Monk, Damien Rolland, Louis Beaubien, Arthur Boyer, Jos. Leman, Eugene Tarte, C. P. Beaubien, F. X. Choquette,

J. Hamel, Arthur Berthiaume, T. Bruneau, J. A. Leblanc, G. Normand, R. Masson, Henri Gérin Lajoie, Louis de G. Beaubien, the Misses Euphrosine Rolland, May Boyer, Blanche Lareau and Thais Lacoste, all of the city and district of Montreal, and all who may become members under the by-laws, are hereby incorporated under the name of "*Hopital Ste. Name, Justine*"

**2.** The corporate seat of the corporation shall be in the city <sup>Corporat</sup> of Montreal. <sup>seat.</sup>

Nevertheless, the administrators may, by by-law, change the <sup>Change</sup> corporate seat from time to time, provided they choose for <sup>thereof.</sup> such purpose a place within the district of Montreal with the approval of the Lieutenant-Governor in Council and give one month's notice in the *Quebec Official Gazette*.

The corporation may establish a Catholic hospital, with <sup>Catholic hos-</sup> branches in the city of Montreal and elsewhere in the Province <sup>pital.</sup> of Quebec.

**3.** The corporation may acquire either by free gift or <sup>Acquisition,</sup> onerous title; alienate and hold immoveable property, and <sup>&c., of prop-</sup> pledge and hypothecate its immoveable property; sue and be <sup>erty, &c.</sup> sued; contract, bind itself towards others and others towards itself, in any lawful manner whatsoever, under the sole restriction that the immoveables held by the corporation for its use and occupation, shall not exceed in value the sum of two hundred thousand dollars.

**4.** For such purposes, the corporation is authorized to <sup>Administra-</sup> select, amongst its members, administrators and officers whose <sup>tors, &c.</sup> number and duties shall be determined by the statutes and by-laws of the corporation.

**5.** Such administrators and officers shall represent the cor- <sup>They repre-</sup> poration in all deeds, contracts and suits, and shall bind it <sup>sent cor-</sup> in all things not beyond the limits of the powers conferred <sup>poration, &c.</sup> upon them.

**6.** The corporation shall have the power to fix and determine, <sup>By-laws of</sup> by its by-laws, the conditions of admission of its future mem- <sup>corporation.</sup> bers; it shall, further, have power, to make and amend, for its internal government, the guidance of its proceedings and the administration of its business, statutes and by-laws to which all its members must conform.

**7.** It shall likewise have power to train nurses and give <sup>Training, &c,</sup> them diplomas or certificates of competency as such after <sup>of nurses.</sup> the fulfilment of the formalities and conditions required by its by-laws to that end.

Board of  
physicians,  
&c.

**8.** The administrators shall appoint a board of physicians and surgeons for the medical and surgical service of the hospital, who shall, for such object, be authorized to make by-laws which shall be submitted for the approval of the administrators.

First board.

**9.** The first board of physicians shall consist of the following : Joseph Edmond Dubé, Sévérin Lachapelle, Henri Hervieux, Louis Joseph Vitalin Cléroux, Telesphore Parizeau, Seraphin Boucher, Joseph Charles Bourgouin, Benjamin Georges Bourgeois, Zephyr Rhéaume, Irma Levasseur, Edouard Etienne Laurent, Raoul Masson, all physicians of the city and district of Montreal, and of such other physicians as they may associate with themselves, who shall remain in office until respectively repaced, in accordance with the by-laws passed as set forth in the foregoing section.

Term of office.

Married women, members of corporation, &c.

**10.** For the purpose of rendering valid the acts of a married woman as member of the said corporation one of its officers or administrators, it shall not be necessary for her to be specially authorized by her husband ; but in no case shall the husband be responsible for the acts of his wife in such quality.

Proviso.

Report to  
Lieut.-Gov.  
in Council.

**11.** The corporation shall be bound, when called upon by the Lieutenant-Governor in Council to make a report of its operations, to produce a statement of the immoveables, held under this act, also a copy of its regulations and the names of its officers attorneys and administrators.

Coming into  
force.

**12.** This act shall come into force on the day of its sanction.

## CHAP. 138

### An Act respecting The Boys' Home of Montreal

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS, "The Boys' Home of Montreal," have by their petition prayed that the act of incorporation and amendments thereto incorporating the said Boys' Home, be amended and consolidated and it is expedient to grant the prayer of the said petition :

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** The acts 32 Victoria, chapter 88, incorporating The 32 V., c. 88 ;  
 Montreal Infant School Association, and 41 Victoria, chapter 42, amending the same and changing the name of the said association to "The Boys' Home of Montreal," are repealed. and 41 V.. c. 42, repealed.

**2.** The corporation hereby constituted is substituted for that existing under the acts repealed by section 1 of this act, and succeeds to all its assets, property, rights, privileges, powers and obligations. Substitution of new corporation.

**3.** The by-laws, ordinances, covenants, engagements, contracts and deeds of all kinds whatsoever, made, adopted and consented to by the said Boys' Home of Montreal, prior to the coming into force of this act, shall continue to have force and effect until annulled, amended, repealed, replaced, cancelled or executed. By-laws, &c., to remain in force.

The present officers of the corporation shall remain in office until replaced under this act and the by-laws of the corporation. Officers to continue in office.

**4.** The present members of the corporation and all persons who may hereafter become members shall be and are hereby constituted a corporation under the name of "The Boys' Home of Montreal." "Boys' Home of Montreal" incorporated.

**5.** The head-office of the corporation shall be in the city of Montreal. The head office of the board of directors of The Boys' Farm and Training School hereinafter constituted shall be in the city of Montreal. Head office.

**6.** The objects of the said corporation shall be the providing of a home or homes and facilities for the education and training of friendless, destitute or orphan boys, in the city of Montreal, or elsewhere in the Province of Quebec; acquiring and maintaining a farm or farms, and organizing a training school or schools in connection therewith, and generally to aid and assist all such boys as may appear to be in need of such aid and assistance. Objects.

**7.** The said corporation may also, as the case may be, subject to the provisions of title VII, chapter 1, section VI, and of title VIII, chapter 3, of the Revised Statutes as amended, and subject to the provisions of this act, establish industrial or reformatory schools for the training of young offenders, or others requiring such training. Establishment of industrial or reformatory schools.

**8.** The said corporation shall have perpetual succession and may in the manner herein provided : Powers of corporation.

(a). Sue and be sued ;

(b). Acquire, accept and receive for the purposes of its undertaking under any title whatsoever gratuitous or onerous, *inter vivos*, or by will, all moveable and immoveable property, and lease, hypothecate, sell or otherwise dispose of the same, as they may see fit, and acquire others in lieu thereof, provided the amount of said immoveables held by the Boys' Home of Montreal. shall not exceed one hundred and fifty thousand dollars in value, and the amount held by the board of The Boys' Farm and Training School hereinafter provided for shall not exceed two hundred thousand dollars in value ;

(c) Contract, transact and bind itself, and others towards it within the limits of its powers ;

(d). Exercise all powers vested in corporations necessary for attaining its objects and assuring the working and progress of the institution.

Life govern-  
ors, &c.

**9.** The members constituting the said corporation shall be life governors and subscribers who contribute not less than five dollars annually towards the purposes of the institution.

Their qual-  
ifications.

**10.** The life governors shall be the present life governors of The Boys' Home of Montreal, and all persons who shall at any one time contribute one hundred dollars or more to the institution, shall be eligible for election as such life governors.

Board of  
Governors.

**11.** The corporation shall, subject to the provisions of this act, be managed and administered by a board of fifteen governors elected at the annual meeting by the members from among their own number. The said board shall hold office for one year or until their successors are duly appointed.

Their powers.

**12.** The said board of governors shall have power to make any by-laws not contrary to law, or the provisions of this act, respecting the holding of the annual or other meetings of the corporation, the notice thereof to be given, the number required to form a quorum, the election of life governors and of officers, the filling of vacancies and generally the rules, regulations and discipline to govern the home now carried on or any similar home which may be carried on by them.

"Board of  
Directors of  
the Boys'  
Farm and  
Training  
School."

**13.** The board of governors shall within one week from the date of their election in each year appoint from among their own number a board of directors consisting of nine members to be called " The Board of Directors of The Boys' Farm and Training School " of which board the president and vice-president of the said Boys' Home of Montreal shall form part.



**14.** The said board of directors shall constitute a separate and distinct corporation with all the rights, powers, privileges and obligations of a corporation and as such may acquire, hold, use, administer, hypothecate and alienate, subject to the provisions of this act, all its property, moveable or immovable. The said board shall keep separate accounts and said board and its property and assets shall not in any way belong to or be liable or responsible for the debts or obligations of the said Boys' Home of Montreal. The said Boys' Home and its property and assets shall not be in any way liable or responsible for the debts and obligations of the said board of directors of The Boys' Farm and Training School.

They form a separate corporation, &c.  
Their property not liable for debts of Boys' Home of Montreal, and vice versa, &c.

**15.** The board of directors of the Boys' Farm and Training School shall have power to make by-laws concerning the rules, regulations and discipline to regulate and govern the homes, farms or schools carried on by and it, the engagement and dismissal of officials and servants and generally the conduct and management of the affairs of the said board.

Powers of board of directors of Boys' Farm and Training School.

**16.** Such by-laws of the Boys' Home of Montreal may be altered or amended by the said board of governors, and the by-laws of the said board of The Boys' Farm and Training School may be altered by the said board of directors of The Boys' Farm and Training School, at any regular meeting of said board respectively, or at any special meeting duly called for the purpose, provided notice of such amendments shall have been given at least eight days before the date of such meeting.

Amendment of by-laws of said corporations.

Every such by-law passed by either of said corporations and every repeal or re-enactment thereof or amendment thereto, unless in the meantime confirmed by a general meeting duly called for such purpose, shall remain in force only until the next annual meeting of said corporation, and unless confirmed by said meeting, shall, from such time only, cease to be in force.

Confirmation of by-laws, &c.

**17.** The said Boys' Home of Montreal shall hold, own, manage and administer all the property and assets of every kind whatsoever belonging to and which shall at any time be acquired by or conveyed to it, or which may be set apart or applied for the purposes and use of The Boys' Home now on Mountain Street, Montreal, and the work being carried on in connection with it. And the said Boys' Home of Montreal, which is hereby constituted, shall be liable for all the obligations of the Boys' Home of Montreal which may exist at the time of the passing of this act.

Property of Boys' Home of Montreal, &c.  
Liability for obligations of former Home.

**18.** The board of the Boys' Farm and Training School

Property of

**Boys' Farm and Training School, &c.** shall hold, own and administer generally all property and assets which may be conveyed to it by any person or may be set apart or appropriated for the use or purposes of the said Boys' Farm and Training School, or any other training, industrial or reformatory school, which may be established by the said corporation. The said board of The Boys' Farm and Training School may enter into any contract or contracts, which may be necessary for the establishing or the administration of such training, industrial or reformatory schools as may be carried on by them.

**Application of certain property.**

**19.** Any property, moneys, or assets, which may be donated, bequeathed or conveyed to The Boys' Home of Montreal without specific mention being made of the purpose to which it shall be applied, or the work for which it is intended, shall be disposed of by the Board of Governors of The Boys' Home of Montreal as they may see fit in their discretion for any purpose of the said Boys' Home or said Boys' Farm and Training School.

**Coming into force.**

**20.** This act shall come into force on the day of its sanction.

## CHAP. 139

An Act to amend the act incorporating "The Montreal Sailors' Institute" and to ratify certain deeds

[Assented to 14th April, 1908]

**Preamble.**

**WHEREAS**, the Montreal Sailors' Institute, a body corporate, duly incorporated by the act 32 Victoria, chapter 85, has, by petition, represented :

That, by its act of incorporation, the Institute was empowered to acquire, hold and enjoy real estate, provided the same did not exceed the annual value of \$3,000;

That the increased and constantly growing needs of the Institute required larger equipment, and, to that end, on the 29th November, 1906, by deed passed before J. A. Cameron, N P., the Institute acquired, by purchase, from the testamentary executors of the late William Dow, for its purposes, the lot number 6 on the official plan and in the book of reference of the Centre Ward of the city of Montreal; the said lot No. 6, adjoining to the south-west the lot of land upon which the Institute's building stood;

That, for the purpose of reconstructing and improving its

buildings and immoveable property, the said Institute found it necessary to borrow money, on the security of the said real property, and, to that end, entered into a deed of loan and hypothec with the Dominion Commercial Travellers' Association, passed, before R. A. Dunton, N. P., on the fifth day of March, 1908;

That, the acquisition of the said lot above mentioned together with the increase, in value, of the real estate, already owned by said Institute ; (in common with other real estate in that vicinity) ; and the improvements made by the Institute thereon have increased the value of the real estate, held by the said Institute, beyond the authorized annual value of \$3,000, provided for in its act of incorporation;

That by reason thereof, some doubts have arisen as to the validity of the purchase of the said lot No. 6, Centre Ward, Montreal, and of the said deed of loan and hypothec, and;

Whereas, the said Institute has, by its petition, accordingly prayed that it be empowered to acquire, hold and enjoy real estate to a greater value than that to which it is restricted by its charter and that the said deeds should be ratified by the Legislature of the Province of Quebec;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section 1 of the act 32 Victoria, chapter 85, is replaced by the following :

32 V., c. 85, s. 1, replaced  
Persons incorporated.

" 1. Hugh Allan, George Moffat, David Torrance, Peter Redpath, Andrew Robertson, James P. Clark, Alfred Rimmer, Charles Alexander, Thomas James Claxton, Andrew Allan, Joseph Mackay, Frederick McKenzie, John C. Beckett, and such other persons, as are now members of the said Institute, or shall hereafter unite with them, under the provisions of this act and the by-laws made under authority thereof, and their successors, shall be and they are hereby constituted a body politic and corporate by the name of "The Montreal Sailors' Institute" and may, by any legal title, acquire, hold and enjoy any estate whatever, real or personal and may alienate, lease, or otherwise dispose of the same, or any part thereof, from time to time and as the occasion may require, and other estate, real or personal, may acquire instead thereof, provided that such real estate shall not exceed a total value of \$300,000."

Name.

Acquisition  
of property,  
&c.

2. The following section is added after section 1 of the said act :

Id., s. added  
after s. 1.

Borrowing,  
hypothec,  
&c.

" 1a. The corporation may, for the purposes of the Institute, borrow such sum or sums of money as may be required and secure the re-payment of said loans by hypothec or by the issue of bonds or debentures in such sums and at such rate of interest and payable at such times and places as it may determine, and may, for such purposes, hypothecate and pledge its immoveable property.

Rights conferred by  
hypothec,  
&c.

Such hypothec, bonds or debentures shall constitute, in order of their date of registration in the office of the registration division where the said immoveables are situated, which must be described in a notice to that effect, given in writing, to the registrar of the division, in which the immoveables are situated, a privileged claim, in favor of the holders thereof, against the corporation and shall give a right of preference over all other debts and claims against the corporation posterior to the issuing of such hypothecs, bonds or debentures."

Certain sale  
of 29th No-  
vember, 1906,  
ratified, &c.

3. The sale by the testamentary executors of the late William Dow, to The Montreal Sailors' Institute, executed at Montreal, on the 29th day of November, 1906, before J. A. Cameron, N. P., by which the said The Montreal Sailors' Institute, acquired the immoveable property fronting on Commissioners' street, in the city of Montreal, known, upon the official plan and in the book of reference of the Centre Ward of the said city, by the number 6, and the said deed of sale and the registration thereof are hereby declared to have been, at the date of the passing of the said deed, and to be, to all intents and purposes, legal and valid and are hereby ratified and confirmed.

Certain loan  
of March 5th  
1908, rati-  
fied, &c.

4. The loan from the Dominion Commercial Travellers' Association to the Montreal Sailors' Institute and the hypothec securing the same under the deed passed before Robert A. Dunton, N. P., at the city of Montreal, on the 5th day of March, 1908, under and in virtue of which the said "The Montreal Sailors' Institute" did pledge and hypothecate its immoveable property in favor of the said Dominion Commercial Travellers' Association, is hereby declared to have been, at the date of said deed and to be, to all intents and purposes, legal and valid, and the said loan and hypothec and the said deed and the registration thereof, are hereby ratified and confirmed

Coming into  
force.

5. This act shall come into force on the day of its sanction.

## SCHEDULE A

BEFORE ROBERT A. DUNTON, the undersigned notary public for the Province of Quebec, residing and practising in the city of Montreal.

## APPEARED :

THE DOMINION COMMERCIAL TRAVELLERS ASSOCIATION, a body corporate, duly incorporated, having its principal place of business in the said city of Montreal, herein acting and represented by William J. EGAN, commercial traveller, the president, MAXWELL MURDOCK, gentleman; the treasurer, and HENRY W. WADSWORTH, the secretary of said association, all of Montreal and duly authorized for the purposes hereof, hereinafter called the "Lender,"

*of the one part ;*

## AND

THE MONTREAL SAILORS' INSTITUTE, a body politic and corporate, incorporated by an act of the Legislature of the Province of Quebec, having its principal place of business in the said city of Montreal, herein acting and represented by HUGH A. ALLAN, merchant, the president, and ALEXANDER F. C. ROSS, chartered accountant the treasurer of said corporation, duly authorized for the purposes hereof, by a resolution of the board of management of said corporation held on the thirtieth day of January, 1908, a certified copy of which resolution being hereto annexed, identified by the signatures of the said officers and the undersigned notary, hereinafter called the "Borrower,"

*of the other part ;*

Who have agreed as follows:

*Loan, repayment and interest.*

The said lender has this day loaned to the said borrower, the sum of twenty thousand dollars currency, which the borrower acknowledges to have received to its satisfaction, whereof quit.

Which said sum the borrower promises and obliges itself to pay to the lender in five years, from the date hereof, and not sooner without the written consent of the lender, save that at the end of the third year of said term, or at any time thereafter the said borrower will have the right to repay said capital or any portion thereof in sums of not less than five thousand dollars each, by giving said lender three months' previous written notice of such its intention and until repayment thereof, to pay to the lender interest thereon at the rate of six per centum per annum, computed from the date hereof, and payable

half yearly on the first days of June and December in each year, the first payment whereof will become due on the first day of June next, for the broken period.

All overdue interest shall bear, and the borrower promises to pay thereon, interest at the same rate as on said principal sum, from the day of maturity, compounded half yearly.

### *Hypothec.*

As security for the payment of the said sum of twenty thousand dollars and the interest thereon, the borrower specially mortgages and hypothecates to and in favor of the lender, the following immoveable property to wit :

First. That certain lot of land known and designated on the official plan and book of reference of the Centre Ward, in the said city of Montreal, by the number seven (7) ; bounded in front to the north east, by Custom House Square, (now Place Royale); in rear to the south-west by lot official number six (6), on one side to the north-west by Capital street and on the other side to the south-east by Commissioners street.

Second. Another lot of land adjoining the above described lot , known and designated on the official plan and book of reference of Centre ward, Montreal, as lot number six (6) ; bounded to the north-west by Capital street, to the south-east by Commissioner Street, to the north-east by said lot number seven (7), and to the south-west by official lot number five, with all the buildings thereon erected.

### *Indemnity and additional hypothec ;*

Should the said property or any portion thereof be alienated by forced sale before the complete payment of the said loan, or dealt with in any way that will require the lender to receive its claim judicially, it will be entitled to an indemnity equal to six month interest at the rate above stipulated upon the amount of the loan then due in principal interest and accessories.

And to secure the payment of said compound interest, indemnity and other accessories of this loan, such as insurance premiums, taxes, registration fees, or other sums which the lender may expend by reason of this loan, the borrower specially hypothecates the said property in favor of the lender for a further sum of two thousand dollars.

The said borrower hereby undertakes and obliges itself to apply for and cause to be enacted by the Legislature of the Province of Quebec, an act amending its act of incorporation, whereby said corporation will be authorized to hold immoveable property to the value, at least, of the immoveable property hereinbefore described and specially ratifying

and confirming the present deed of loan and hypothec and the obligation and hypothec herein contained.

And to these presents intervened David Morrice, merchant ; James C. Holden, retired merchant ; Abner Kingman, merchant and James Rodger, merchant, all of the said city of Montreal.

Who having taken communication of the present deed, declared themselves satisfied therewith, and they do hereby become sureties for The Montreal Sailors Institute unto and towards, the said lender for the payment of said sum of twenty thousand dollars and interest thereon, hereby renouncing the benefits of division and discussion and other benefits to which sureties are by law entitled, and binding themselves jointly and severally with the said Institute for the due payment of said sum of twenty thousand dollars and interest thereon, and the fulfilment of the obligations of the said Institute hereunder.

It is however expressly stipulated that the present suretyship shall terminate and the said intervenants shall be released from all personal obligation or responsibility for said debt under the present deed or by reason of the suretyship hereby given when and so soon as the present deed of loan and hypothec shall have been ratified and confirmed by an act of the Legislature of the Province of Quebec, confirming the present loan and obligation, and declaring same to be legal and valid to all intents and purposes.

The clauses and covenants contained in the supplementary deed hereto annexed bearing even date herewith, shall be as effective and binding upon the parties as if they had been inserted herein and formed part hereof.

Done and passed, at the said city of Montreal, on the fifth day of March, one thousand nine and eight, under the number twenty-six thousand eight hundred and eight-nine of the minutes of Robert A. Dunton, the said notary, and after due reading hereof the parties have signed with and in presence of the said notary.

(Signed)	D. MORRICE,
"	W. J. EGAN,
"	MAXWELL MURDOCK,
"	H. W. WADSWORTH,
"	HUGH A. ALLAN,
"	A. F. C. ROSS,
"	JAS. RODGER,
"	ABNER KINGMAN,
"	J. C. HOLDEN,
"	R. A. DUNTON, N. P.

A true copy of the original hereof remaining of record in my office

R. A. DUNTON, N. P.

## SUPPLEMENTARY DEED

BEFORE ROBERT A. DUNTON, the undersigned notary public, for the Province of Quebec, residing and practising in the city of Montreal.

## APPEARED :

THE DOMINION COMMERCIAL TRAVELLERS' ASSOCIATION, a body corporate, duly incorporated, having its principal place of business in the city of Montreal, herein acting and represented by WILLIAM J. EGAN, commercial traveller, the president ; MAXWELL MURDOCK, gentleman, the treasurer, and HENRY W. WADSWORTH, the secretary of said association, all of Montreal, and duly authorized for the purposes hereof, hereinafter called the lender.

*of the one part ;*

## AND

THE MONTREAL SAILORS' INSTITUTE, a body politic and corporate, incorporated by an act of the legislature of the Province of Quebec, having its principal place of business in the city of Montreal, herein acting and represented by HUGH A. ALLAN, merchant, the president, and ALEXANDER F. C. ROSS, chartered accountant, the treasurer of said corporation, duly authorized for the purposes hereof by a resolution of the board of management of said corporation held on the thirtieth day of January, 1908, a certified copy of which being hereto annexed identified by the signatures of the said officers and the undersigned notary hereinafter called the "borrower,"

*of the other part;*

## AND

DAVID MORRICE, merchant; JAMES C. HOLDEN, retired merchant ; ABNER KINGMAN, merchant, and JAMES RODGER, merchant, intervening parties and sureties.

Who have covenanted and agreed that the clauses and conditions hereinafter mentioned will form part of the deed of loan entered into between the said parties and passed before the undersigned notary this day, under the No. 26,889 of his repertoire, and will be as binding as if they were contained and inserted at full length in the said deed.

## BORROWERS PAYMENTS

First. The payment of the said capital sum of twenty thousand dollars and the interest thereon, shall be made at



the office, in the said city of Montreal, of said lender in gold coin at its present standard of value, and of its present weight and fineness.

Second. The borrower will pay regularly all municipal taxes and assessments on the property mortgaged, and will exhibit the receipts therefor to the lender, before the first day of January in each year. The borrower will also pay any special tax or impost that may be levied upon the amount of the present loan, or upon any unpaid portion thereof or upon the interest stipulated payable thereon, in default whereof, the lender may exact the immediate repayment of the loan.

Third. The borrower will pay all fees, legal and notarial, connected with the present loan, including a copy for the lender, costs of registration, renewals of registration and sheriffs' notices, and will furnish the lender within thirty days of its execution, with a copy of every deed of mutation affecting said premises.

#### INSURANCE

Fourth. As additional security for the said loan and until repayment thereof the borrowers will insure, and keep insured against loss by fire with an insurance company approved by the lender, the buildings erected, on the said land for a sum of not less than the amount loaned and will transfer to the lender the policies of such insurance and the indemnity which may become due thereunder, and will also deliver to the lender the receipts for the renewal of said insurance, twenty-four hours before the expiry of the existing insurance, in default whereof the lender will have the right to insure at the expense of the borrower.

#### PENALTY

Fifth. Should the borrower fail to make any interest payment for fifteen days after its maturity, or to maintain the insurance, or to pay the taxes and assessments on said property as above provided, the lender may exact the immediate payment of the loan, with accrued interest, without any judicial demand, notice or other formality whatsoever.

#### CONSERVATION OF THE PROPERTY

Sixth. The Borrower will keep the building on the said property in good state of repair and will allow the lender access to inspect the same, from time to time, if desired. The borrower will not permit any builders' or other privileges, either prior in rank or concurrent with the said lenders' rank, to be

created upon the said property, under pain of causing the present loan to become forthwith exigible.

#### DECLARATION OF THE BORROWER

Seven. The borrower declares that the said property belongs to it absolutely, and is free and clear of all encumbrances and that the said sum of twenty thousand dollars is being applied in payment of the balance of the cost of constructing the new building on the lots of land hereinafter described. The titles and papers connected with the said property shall remain in the hands of the said lender until payment of said loan and any discharges will be made before the notary of the lender.

And for the execution of the present contract of loan the parties have made election of domicile at their places of residence above mentioned where, etc.

Done and passed at the city of Montreal, on the fifth day March, one thousand nine hundred and eight, under the number twenty-six thousand eight hundred and ninety of the deeds of record in the office of Robert A. Dunton, the said notary, and signed by the said parties with and in presence of the said notary after due reading hereof.

(Signed)	W. J. EGAN,
"	MAXWELL MURDOCK,
"	H. W. WADSWORTH,
"	HUGH A. ALLAN,
"	A. F. C. ROSS,
"	JAS RODGER,
"	ABNER KINGMAN,
"	J. C. HOLDEN,
"	D. MORRICE,
"	R. A. DUNTON, N. P.

A true copy of the original hereof remaining of record in my office.

R. A. DUNTON, N. P

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## SCHEDULE B

Before JOHN ALEXANDER CAMERON, the undersigned notary public for the Province of Quebec, residing and practising at the city of Montreal,

## APPEARED :

HUGH PATON, manager ; JOSEPH WILLIAM ANDREW HICKSON, Esquire, and JAMES CLAUD HICKSON, advocate, all of the city of Montreal, herein acting in their quality of executors of the last will and testament of the late WILLIAM DOW, in his lifetime of the said city of Montreal, brewer, which was executed before J. S. Hunter and colleague, notaries, on the twenty-second day of November, eighteen hundred and sixty-eight, and registered in the registry office of the registration division of Montreal, on the sixteenth day of December following under No. 52,538.

The original executors under the said will having ceased to act by reason of death or resignation, the said Hugh Paton and the late Sir Joseph Hickson were appointed as executors to the said will by judgment of the Superior Court for the Province of Quebec, in the district of Montreal, on the twenty-first day of March eighteen hundred and eighty-five, registered in the registry office for the registration division of Montreal West, on the fifteenth day of June following under No. 111,084, whose seizure and powers were defined by an act of the Legislature of the Province of Quebec, 49-50 Viet., chapter 90.

The said Joseph William Andrew Hickson, together with the late John Macintosh were appointed as such executors in the place of the said late Sir Joseph Hickson by a judgment rendered in the said court on the nineteenth day of May eighteen hundred and ninety-seven, registered in said registry office under No. 129,981.

And the said James Claud Hickson was appointed as such executor in the place of the said late John Macintosh by a judgment rendered in the said court on the twentieth day of December last (1905) registered on the ninth day of March last (1906) under No. 142,010.

*Hereinafter styled the Vendors.*

Who have by these presents sold and conveyed with legal warranty

UNTO THE MONTREAL SAILORS INSTITUTE, a body corporate, having its principal place of business at the said city of

Montreal, hereinafter styled the "purchaser" and hereto present and accepting by HUGH A. ALLAN, the president, and ALEXANDER F. C. ROSS, treasurer, both of the city of Montreal, and hereunto authorized by a resolution of the board of management of the said institute, held on the twenty-second day of October last (1906) a duly certified copy whereof remains hereto annexed ; the following immoveable property, namely :

#### DESCRIPTION

That certain lot of land in the Centre Ward of the city of Montreal, known on the official plan and book of reference of the said ward as lot number six, bounded to the north-west by Capital street, to the south-east by Commissioners street, to the north-east by official lot number seven and to the south-west, by official lot number five.

With the buildings thereon erected.

As the said property now subsists with all its rights, members and appurtenances, without exception or reserve on the part of the vendor.

#### TITLE

The said property was acquired by George Moffat and Angus C. Hooper, then executors of the last will and testament of the said late William Dow, from Dame Marie Rosalie Louise Albina Donegani, wife of Charles Selby, by deed of sale executed before J. S. Hunter, N. P., on the fifteenth day of May, eighteen hundred and seventy-one, registered in the registry office for the registration division of Montreal, on the twelfth day of June following under No. 62,654.

Who acquired the same from *Les communautés des Sœurs de la Charité de l'hôpital général et de l'asile de la Providence de Montréal*, by deed of sale executed before J. H. Jobin, notary, on the twenty-third day of August, eighteen hundred and seventy, registered on the fourteenth day of September following under No. 59,264.

#### POSSESSION

The purchaser will be the absolute owner of the said property from this date and will take possession thereof forthwith subject to the existing leases, with the right to the purchaser to collect the rental from the first day of November instant for which purpose the purchaser is hereby subrogated in the rights of the vendor in that respect.

## VENDORS' DECLARATIONS

The vendors declared and covenanted :

1. That said property is held under the tenure of *franc aleu roturier*, having been duly commuted by deed of commutation by the seigniors of Montreal, on the second day of February eighteen hundred and seventy-one, registered on the ninth day of the same month under No. 60,993.

2. That the same is free and clear of all assessments and rates both general and special to the date hereof and of all encumbrances.

3. That the said late William Dow never married.

4. That the substitution created by the will of the said late William Dow is not yet open.

## CONDITIONS

This sale is thus made subject to the following conditions, to the fulfilment whereof the purchaser obliges itself, namely :

1. To pay the costs of this deed and its registration.

2. To pay all assessments and rates for which the said property may become liable from and after the first day of November instant and the proportion from that date of those for the current year.

## PRICE

This sale is thus made for and in consideration of the sum of eighteen thousand five hundred dollars, which the vendors acknowledged to have received from the purchaser at the execution hereof, whereof quit.

## WHEREOF ACT :

DONE AND PASSED at the said city of Montreal, on this twenty-ninth day of November, one thousand nine hundred and six, and of record in the office of the undersigned notary under the number six thousand one hundred and forty-seven.

And after due reading hereof the parties signed in presence of said notary.

(Signed) HUGH PATON,  
" J. W. A. HICKSON,  
" J. C. HICKSON,  
" HUGH A. ALLAN, *President*.  
" A. F. C. ROSS, *Treasurer*.  
" J. A. CAMERON, N. P.

A true copy of the original hereof remaining of record in my office.

J. A. CAMERON, N. P.

## CHAP. 140

An Act respecting the reconstruction of the church and sacristy of the parish of *Saint François d'Assise de la Longue Pointe*

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS the *curé* and churchwardens of *l'œuvre et fabrique* of the parish of Saint François d'Assise de la Longue Pointe have, by their petition, represented :

That the Catholic church of that parish was totally destroyed by fire on the seventh of November last, and in consequence of such disaster the parishioners were and are under the necessity of rebuilding their church and sacristy as soon as possible;

That on the ninth of February, 1908, at a meeting of the Catholic freehold proprietors of the parish, it was decided to at once rebuild the church and sacristy by means of assessments on the taxable immoveable property of the Catholic freehold proprietors of the parish, according to plans and for an amount approved by the Archbishop of Montreal ;

That at the same meeting, on the ninth of February, 1908, it was resolved to levy on the taxable immoveable property of the Catholic freehold proprietors a sum not exceeding two thousand dollars per annum and for a period of time not exceeding thirty years, to be applied to the payment of the interest and the sinking fund of the loan which is absolutely necessary ;

That the said sums so levied shall be employed in rebuilding the said church and sacristy provided the immoveables of the said freeholders be affected only for such time as they shall remain attached to the parish of Longue Pointe and they shall be bound only to the amount of the payments due on the said assessments ;

That, at the said meeting of the ninth of February 1908, the Reverend J. H. Lecourt, parish priest, Hector Vinet, churchwarden in office, Joseph Bernard, churchwarden ; Hormidas Lapointe, senior, Gustave Vinet, Thomas Pelletier, Henri Robert, Joseph Chevalier, Louis Côté, were appointed trustees for the purposes of the assessment ;

That the said resolutions were approved by the Catholic ordinary, His Grace the Archbishop of Montreal.

Whereas, by the said petition, it is prayed that an act be passed for such purposes, and it is expedient to grant such prayer ,

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The parish priest, churchwarden in office of the parish ; Persons in-  
Joseph Bernard, churchwarden ; Hormisdas Lapointe, senior ; corporated.  
Gustave Vinet, Thomas Pelleter, Henri Robert, Joseph Che-  
valier, Louis Caty, are appointed trustees for the purposes  
of this act, who shall constitute a corporation, the quorum  
whereof shall be five, under the name of " The Trustees of the Name.  
parish of Longue Pointe " with the powers granted by law  
to corporations of trustees constituted under the Revised  
Statutes.

2. Vacancies occurring among the trustees who are not Vacancies.  
*ex-officio* members of the corporation shall be filled by the  
vote of a meeting of the trustees ; the trustees may appoint  
a secretary-treasurer who shall give the necessary security Secretary-  
treasurer, &c.  
and have charge of the collection of the annual taxes.

Powers, rights, privileges and obligations similar to those Powers re  
collection of  
moneys.  
of churchwardens are conferred and imposed on the said board  
for the collection of moneys levied by the assessments, the  
works to be done, the suits to be taken out and generally  
everything connected with the purposes of this act.

3. The said trustees shall levy by assessment on the immoveables Assessment  
for payment  
of loan.  
of the Catholic freehold proprietors of the said parish of Saint  
François d'Assises, an annual sum not exceeding two thousand  
dollars for a period not exceeding thirty years, to provide for  
the payment of the principal and interest of the loan to be  
effected, and the proceeds thereof shall be employed in rebuild-  
ing the church and sacristy according to the plans and the  
amount approved by the ordinary His Grace the Archbishop  
of Montreal and for the costs and expenses connected there- Proviso.  
with, and provided that the immoveables of the said freehold  
proprietors shall be affected only in so far as they remain Further pro-  
viso.  
attached to the parish of Longue Pointe and they shall be  
bound only to the amount of the payments due in the event  
of a separation.

4. The act of assessment shall be based on the valuation Basis of  
assessment.  
roll of the parish, of the town, and of the village of Longue  
Pointe in force when the payment to be effected becomes due.

5. As soon as the act of annual assessment is prepared, the Notice of  
assessment.  
said trustees shall give public notice thereof at the door of the  
parish church during fifteen days, and during such delay any  
person who may deem himself aggrieved by the said assess-  
ment roll may appeal to the commissioners for the civil Appeal to  
commis-  
sioners.  
erection of parishes by petition addressed to the said commis-  
sioners and served within such delay of fifteen days upon the  
said trustees ; in such case the commissioners for the civil

erection of parishes shall proceed in the manner provided by article 3408 of the Revised Statutes.

When assessment becomes due.

6. In the event of there being no contestation within the said delay, the said assessment roll shall become due and exigible without being subject to homologation by the civil commissioners.

Payment thereof, &c.

7. The sum to be levied every year shall be due and payable in annual and consecutive payments at the office of the secretary-treasurer of the trustees on the first of September of each year. Instalments shall bear interest after four months have expired from the date when they became due.

Loans therefor, &c.

8. The board of trustees so constituted a corporation may, on the security of the said assessment, effect the necessary loans for carrying out the said work, provided the sum borrowed shall not exceed what the assessment may meet by means of its annuities; such loans may be effected by contract, obligations or debentures with annuities, wholly or in part, according to requirements of the work done or to be done.

Application of certain net proceeds.

9. The *fabrique* of the said parish shall hand over to the trustees for the purpose of assisting it when necessary, after having paid for the repairs to the presbytery, having built a temporary chapel and provided for certain expenses absolutely necessary under the circumstances, whatever may remain both of the moneys derived from the insurance on the old church, and from what it has or may have arising from the sale of *fabrique* lands.

Insurance of buildings.

10. It shall be lawful for the trustees to keep the buildings under construction insured against fire for their value.

Coming into force.

11. This act shall come into force on the day of its sanction.

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## CHAP. 141

An Act respecting the enlargement of the church of the parish  
of Les Saints-Anges de Lachine

[Assented to 25th April, 1908]

**W**HEREAS, the *curé* and churchwardens of *l'œuvre et* Preamble.  
*fabrique* of the parish of Les Saints-Anges de Lachine,  
have, by petition, represented :

That it is urgent that considerable work be done in connection with the enlargement and restoration of the church of the parish ;

That it is necessary to effect a loan for such purpose and to obtain special legislation to that effect ;

That the Catholic freeholders of the said parish have unanimously approved of the said petition ;

That it is necessary that an act be passed to that effect ;

And whereas it is expedient to grant the prayer contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. That the parish priest of the parish of Les Saints-Anges Persons in-  
de Lachine and the three church wardens in office of *l'œuvre* corporated.  
*et fabriques* of the said parish elected according to law are,  
for all purposes of this act, incorporated under the name of Name.  
*Syndics de la paroisse des Saints Anges de Lachine* with all the  
powers granted by law to corporations of trustees formed in  
such cases under the Revised Statutes.

2. The trustees are authorized to enlarge and restore the Enlargement,  
church of the said parish and its dependencies and to perform *&c.*, of parish  
all the works necessary for such purpose. church, *&c.*

3. To provide for the payment of all the expenses incurred Loans to  
and to be incurred for the purposes of this act, the trustees meet ex-  
are authorized to effect loans to the amount of eighty thousand penses, *&c.*  
dollars.

4. Such loans shall be contracted by the trustees by means Bonds, *&c.*,  
of ordinary obligations or by bonds or debentures as may be  
deemed expedient and upon the following security, to wit :

1. To the amount of forty thousand dollars with interest Security for  
on the security of *l'Oeuvre et Fabrique* of the parish of Les part of same.  
Saints Anges de Lachine, which may bind itself with the trus-  
tees to pay and reimburse the said amount to the person or  
persons who may lend the same ;

Security for remainder.

2. To the extent of another sum of forty thousand dollars with interest, on the security of the assessments imposed by this act on the immoveable property of the Catholic freeholders of the said parish.

Assessment for payment of part of loan.

5. The trustees may, by deed of assessment, levy on the immoveable property in the parish of Les Saints Anges de Lachine, belonging to Catholics, an annual sum not exceeding two cents in the dollar of the assessed value of the property taxed, for a period of not less than thirty years, to be employed in the payment of the sum of forty thousand dollars with interest, lastly mentioned ; provided that the said immoveables shall not be affected and that the Catholics proprietors shall not be liable beyond the amount of the payments due on the said assessment.

Proviso.

Basis of assessment.

6. The assessment shall be based annually on the value of the immoveables affected, as shown on the municipal valuation roll of the town of Lachine and on that of the other municipalities established or that may be established within the limits of the parish of Les Saints Anges de Lachine.

Payment thereof, &c.

7. The sum to be levied each year shall be exigible and payable in annual and consecutive payments, the first whereof shall become due on the first day of July, 1908. The payments not effected within the thirty days from their maturity, shall bear interest at five per cent.

Secretary-treasurer, &c.

8. The trustees may appoint a secretary-treasurer, to whom they shall pay such salary as they may deem reasonable. They may choose an office within the limits of the town of Lachine where all the payments of the assessments shall be made. They

His security.

may exact from their secretary-treasurer, security for at least two thousand dollars.

Notice of assessments.

9. As soon as the annual act of assessment is prepared, the said trustees shall give public notice thereof at the door of the parish church during fifteen days, and during such delay, any person who may deem himself aggrieved by the said assessment roll, may appeal to the commissioners for the civil erection of parishes by petition addressed to the said commissioners and served within such delay of fifteen days upon the said trustees; and in such case the commissioners shall proceed in the manner provided by article 3408 of the Revised Statutes.

Complaints against same, &c.  
Appeals to commissioners, &c.

When assessment becomes exigible, &c.

In the event of there being no contestation within the above delay, the assessment roll shall become due and exigible without being subject to homologation by the commissioners.

**10.** Apart from those mentioned in this act, powers, rights, <sup>Powers of</sup> privileges and obligations similar to those possessed by <sup>trustees, re</sup> church-wardens under the law, are given to the trustees for <sup>collection of</sup> the collection of the moneys of the assessments, the works <sup>money, &c.</sup> to be done, the suits to be taken out, and generally all matters concerning the ends of this act.

**11.** The trustees may insure the church and dependencies <sup>Insurance of</sup> against fire. <sup>church, &c.</sup>

**12.** The trustees shall render an account of their adminis- <sup>Account by</sup> tration annually, during the month of January, to the freehold <sup>trustees.</sup> inhabitants assembled in regular meeting.

**13.** *L'Oeuvre et Fabrique* of the parish is authorized to <sup>Application</sup> employ the surplus of its receipts over expenses to the pay- <sup>of net re-</sup> ment of the loan or loans guaranteed by it as aforesaid, and <sup>ceipts to pay-</sup> also to contract itself all loans it may deem expedient for such <sup>ment of</sup> loans, &c. purposes.

**14.** The quorum of the trustees when the latter are assem- <sup>Quorum of</sup> bled in meeting, shall be three. The questions submitted to <sup>trustees, &c.</sup> the trustees assembled at a meeting shall be decided by the vote of the absolute majority of the trustees present. When <sup>Casting vote</sup> the votes are equally divided, the chairman shall, in addition <sup>of chairman,</sup> to voting as trustee, have a casting vote as chairman. <sup>&c.</sup>

**15.** This act shall come into force on the day of its sanction. <sup>Coming into]</sup> force.

## CHAP. 142

An Act to amend the act 7 Edward VII, chapter 117, respecting the building of a new church at St. Joseph d'Alma

[Assented to 25th April, 1908]

**W**HEREAS the trustees of the parish of St. Joseph d'Alma <sup>Preamble.</sup> have, by their petition, represented :

That the act passed at the last session of the Legislature presents, in its application, certain serious drawbacks which would entail unnecessary expense and formalities ;

That it is in the interest of the present and future freeholders of the parish to adopt a more simple and economical method of preparing the act of assessment and of levying the necessary moneys to pay the loan authorized by the said act 7 Edward VII, chapter 117 ;

And whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c. 117, s. 10, replaced. **1.** Section 10 of the act 7 Edward VII, chapter, 117, is replaced by the following :

Basis of assessment. **" 10.** The assessment shall be based on the valuation rolls then in force in the municipality or in each of the municipalities comprised in the parish.

Id. s. 11, replaced. **2.** Section 11 of the act 7 Edward VII, chapter 117, is replaced by the following :

Form of act of assessment, &c. **" 11.** Such act of assessment shall be made in the form indicated by article 3408 of the Revised Statutes, and shall specify the amount of money, for which each lot or other immoveable has been assessed. Such act shall not be subject to homologation by the commissioners, but an appeal shall lie therefrom, within one month following the notice given under section 11*d*, as in the case of the municipal valuation roll, to the Magistrate's Court of the district and in the same manner.

Appeal therefrom, &c. The appeal shall also have the effect of suspending the coming into force of the act of assessment until the court has given its decision.

Amending of roll, &c. **" 11*a*.** If the valuation rolls in force in each of the said municipalities forming part of the said parish, or any of them, cannot, in the opinion of the trustees, serve for an equitable allotment amongst the Catholics of the various municipalities, the trustees shall amend such valuation roll or rolls or make one or more others, as the case may be, in connection with the assessable property of the said municipalities.

Valuation roll for unorganized territory, &c. They shall, however, prepare a valuation roll for the assessable property forming part of the territories not yet organized into municipalities, and not having, in consequence, any valuation roll. They may amend such roll every year and shall renew it every three years.

Contents of such rolls. **" 11*b*.** The roll or rolls that the said trustees shall have the right to make or to amend according to the foregoing section, shall comprise an exact statement of the lots of land and other immoveables then granted by the Government, as well as the outlays and improvements on land occupied by squatters situated in each municipality or in the territory not yet organized, with the exception of those exempt from such assessment, their extent and their value, as well as the names of the real or presumed owners thereof.

" 11c. After such roll or rolls have been made or amended, they shall remain deposited for fifteen days in the office of the secretary of the trustees or with the *curé* of the parish of Saint Joseph d'Alma, and public notice of such deposit shall be given in the manner required for municipal notices in each of the municipalities concerned and, in the case of the territory not yet organized, at the door of the parochial church. Such notices shall specify the day, the place and the hour at which complaints, if any, shall be taken into consideration by the said trustees. On the day specified in the notices, the trustees shall take into consideration the verbal or written complaints that may have been submitted by any interested party against any valuation contained in such roll or rolls, shall hear the parties and their evidence, and shall take cognizance of all proofs filed. The trustees may, at such sitting, correct any wrong valuation in such manner as to them may seem fair and equitable. The roll or rolls so made or amended, examined or corrected, shall be signed by the trustees present and shall then come into force, without any other formality, or the purpose of any assessment to be levied under this act.

Deposit of  
roll, and  
notice, &c.

Hearing of  
complaints,  
&c.

Corrections  
in roll, &c.

" 11d. The act of assessment prepared as aforesaid, shall, after having been signed by the trustees, be deposited in the office of their secretary-treasurer. Notice of such deposit shall be given on the Sunday following, be publicly read and posted up at the door of the parochial church at the issue of Divine morning service. Instead of being read at the church door, the notice may be read from the pulpit at the parochial mass.

Deposit in  
secretary-  
treasurer's  
office, &c.

" 11e. The assessment shall become due and exigible, one month after the giving of the notice under the foregoing article, and be payable at the office of the secretary-treasurer or to his agent, in a single instalment or in two instalments at the date or dates specified."

Assessments  
when due, &c.

3. The following section is added after section 12 of the said act 7 Edward VII, chapter 117 :

Id. s. added  
after s. 12,

" 12a. After the expiration of such thirty days the trustees may sue for the recovery of the assessments due and exigible, according to the method indicated in article 3413 of the Revised Statutes"

Suits for as-  
sessments.

4. This act shall come into force on the day of its sanction.

Coming into  
force.

## C H A P . 143

An Act respecting the cemetery of Notre-Dame des Neiges  
and to confirm the acquisition of certain land for the enlarge-  
ment of the cemetery

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS the Curé and church-wardens of *l'œuvre et fabrique* of the parish of Notre-Dame de Montréal have, by their petition, represented that they have acquired, by means of expropriations, a certain lot of land for the enlargement of the cemetery of Notre-Dame des Neiges, and it is desirable before having any burials in such lot of land that there should be no doubt as to the validity of their title ; and whereas they have prayed that an act be passed containing the provisions hereinafter set forth, and it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

R.S.Q., 3450, par. 2, not to apply to certain cemetery.

1. Paragraph 2 of article 3450 of the Revised Statutes shall not apply to the cemetery of Notre-Dame des Neiges.

Contracts of Dec. 17th & 30th 1907 confirmed.

2. The following are confirmed by this act in so far as the same may be necessary, to wit : the acquisition by the *Curé* and church-wardens of *l'œuvre et fabrique* of the parish of Notre-Dame de Montréal by expropriation, to enlarge the said cemetery, of a lot of land comprising the greater portion of the immoveable designated under the number five of the official plan and book of reference of the village of Côte des Neiges, belonging to Mr. Jérémie Marcel Aubry and Dame Marie Archange Victoria Aubry, wife of Thomas Jacques de Montarville Taschereau, as institutes ; also the arbitrators' award rendered by Messrs. Alphonse Desjardins and Eustache Prud'homme on the seventeenth of December, 1907, before Mr. A. E. Prud'homme, notary, respecting such expropriation ; and the covenants regarding the price of the land expropriated between the said parties, with the concurrence of Mr. David Nelligan, in his capacity of curator to the substitution to which the said proprietors were subject, set forth in a deed passed on the thirtieth of December, 1907, before Mr. A. E. Prud'homme, notary.

Certain land annexed, for certain purposes, to

3. All the lots of land acquired by the said *fabrique* for the enlargement of the said cemetery from the twenty-third of February, 1875, are annexed for religious and *fabrique* purposes

to the parish of Notre-Dame de Montréal ; and the same shall apply to the lots of land that may hereafter be acquired for the same purpose. parish of N.-D. de Mont-real, &c.

4. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 144

An Act to amend the act to incorporate *L'Institut des Sœurs Servantes du St. Cœur de Marie*

[Assented to 14th April, 1908]

**W**HEREAS, *L'Institut des Sœurs Servantes du St. Cœur de Marie*, has by its petition prayed that its act of incorporation the act 57 Victoria, chapter 88, be amended so as to authorize it to change its corporate seat ;

And whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section 3 of the act 57 Victoria, chapter 88, is replaced by the following : 57 V., c. 88, s. 3, replaced.

" 3. The corporate seat of the institute shall be in the parish of St. Charles of Limoilou, in the electoral division of Quebec East in the Province of Quebec."

2. This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 145

An Act to incorporate *l'Oeuvre du Patronage de Saint-Hyacinthe*

[Assented to 14th April, 1908]

**W**HEREAS, Reverend Father Alexandre Nunesvais, principal superior of *Les Frères de Saint Vincent de Paul* for Canada, residing at Quebec, and the Reverend Father Eugene Tremblay, residing at St Hyacinthe, member of the same congregation, have, by their petition prayed that *l'Oeuvre du Patronage de Saint Hyacinthe* be incorporated ;

And whereas it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons incorporated.

1. The Reverend Fathers Alexandre Nunesvais and Eugène Tremblay, and all persons who may succeed them in their offices in accordance with the rules of the congregation of *Les Freres de Saint Vincent de Paul*, duly incorporated by the act 7 Edward VII, chapter 133, are incorporated under the name of *l'Oeuvre du Patronage de Saint Hyacinthe*.

Name.

Perpetual succession, &c.

2. The corporation shall have perpetual succession and may have a common seal which it may modify at will.

Powers.

3. The corporation may

a. With the assent of the diocesan authority, establish, in the diocese of St Hyacinthe, works in connection with poor children, homes for orphan apprentices, perseverance societies for young men of the working class, unions, clubs, *patronages*, night refuges and generally works in favor of the poor and working-class;

b. Accept, acquire and hold moveable and immoveable property under any title for the purpose of its work, provided such immoveables shall not exceed in value four hundred thousand dollars.

c. Appear before the courts;

d. Borrow, lease, sell, exchange, assign or otherwise alienate its moveable and immoveable property, under any title whatsoever, wholly or in part, and hypothecate its immoveables, and become parties to bill of exchange or promissory notes ;

e. Make by-laws respecting its internal government and the administration of its property and amend or repeal such by-laws;

f. Appoint officers, procurators and administrators, and define their powers.

Corporate seat.

4. The corporate seat of the corporation shall be in the city of St Hyacinthe.

Statement to Lieutenant-Governor in Council.

5. The corporation shall transmit to the Lieutenant-Governor in Council, when thereunto required by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers and a certified copy of its rules and regulations

Dissolution of corporation, &c.

6. In the event of the dissolution of the said *oeuvre*, the property thereof, after payment of the debts, shall belong to the Roman Catholic Episcopal Corporation of St Hyacinthe.

Coming into force.

7. This act shall come into force on the day of its sanction.



## CHAP. 146

An Act to incorporate *Les Sœurs Adoratrices du Précieux Sang de Joliette*

[Assented to 14th April, 1908]

**WHEREAS**, *Les Sœurs Adoratrices du Précieux Sang*, de Preamble.

*Saint Hyacinthe*, in the district of Joliette, have, by their petition, represented : that since the second of October, 1907, there has existed in the parish of Saint Charles Borromée, in the district of Joliette, a branch of the community of nuns called "*Les Sœurs du Précieux Sang, de Saint Hyacinthe*" the object of whose members is to devote themselves in common to works of piety, mercy and charity, consistent with the contemplative life they lead ;

Whereas, through its superior and other officers hereinafter mentioned, the said branch of the community of *Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*, established in the said parish of Saint Charles Borromée, under the name of "*Les Sœurs Adoratrices du Précieux Sang, de Joliette*" has also by its petition asked to be incorporated, under the name of "*Les Sœurs Adoratrices du Précieux Sang, de Joliette* ;"

And whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Dame M. Salomé Poirier, superioress, in religion, Re- Persons in-  
verend Mother Saint Jean de la Croix ; Dame Laure Bourassa, corporated.  
assistant, in religion, Sister de l'Immaculée Conception ;  
Dame Mary Daly, mistress of the novitiate, in religion, Sister  
Sainte Couronne de Jésus, at present members of the commun-  
ity called "*Les Sœurs Adoratrices du Précieux Sang, de Jo-*  
*liette*," established in the parish of Saint Charles Borromée,  
in the district of Joliette, as a branch of the community of  
*Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*,  
and all persons who are now members of the community called  
"*Les Sœurs Adoratrices du Précieux Sang, de Joliette*," or who  
shall become such hereafter in accordance with its rules,  
statutes and by-laws, are incorporated under the name of Name.  
"*Les Sœurs Adoratrices du Précieux Sang, de Joliette*."

2. The corporation shall have perpetual succession, and Powers.  
may :

- a. Have a seal which it may modify or renew at will ;
- b. Appear before the courts ;

c. Accept, hold and acquire moveable and immoveable property of any kind whatsoever, to the extent of three hundred thousand dollars ;

d. For the purposes for which it is constituted, sign bills of exchange, promissory notes, lease, sell, exchange, or otherwise alienate its moveable and immoveable property under any title whatsoever, and hypothecate its immoveables ;

e. Found, establish and maintain in this Province, novitiates, convents, establishments or branches, erect all the necessary buildings for the purpose, and, by complying with the formalities required by law, establish cemeteries for the interment of its members ;

f. Under the constitution and rules of the community, make by-laws for the admission, government and removal or dismissal of its members and the general administration of its property ;

g. Appoint officers, procurators and administrators and define their powers.

Corporate  
seat.

3. The corporate seat of the corporation shall be in the parish of Saint Charles Borromée, in the district of Joliette.

Statement to  
Lieutenant-  
Governor in  
Council.

4. The corporation shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers, and a certified copy of its rules and regulations.

Coming into  
force.

5. This act shall come into force on the day of its sanction.

## CHAP. 147

An Act to incorporate *La Congrégation des Sœurs des Saints Cœurs de Jésus et de Marie*

[Assented to 14th April, 1908]

Preamble,

**W**HEREAS, Dames Jeanne-Marie Pavoine, in religion, Sister Marie Joséphine ; Anne Marie Neveu, in religion, Sister Marie Magloire ; Anne-Marie Gérard, in religion, Sister Marie Gustave ; Eugénie Agenais, in religion, Sister Marie Septimie ; Angélique Banâtre, in religion, Sister Marie Sophie ; all of the town and district of Joliette, and now members of the community called "*La Congrégation des Sœurs des Saints Cœurs de Jésus et de Marie*", have, by their petition, represented that

they wish to be incorporated under the name of "*La Congrégation des Sœurs des Saints Cœurs de Jésus et de Marie*," for the purpose, among others, of devoting themselves to teaching, to the care of the sick in their homes or hospitals, and generally to works of education and charity ;

And whereas it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The said Dames Jeanne Marie Pavoine, in religion, Sister <sup>Persons in-</sup> Marie Joséphine : Anne Marie Neveu, in religion, Sister Marie <sup>corporated.</sup> Magloire ; Anne Marie Gérard, in religion, Sister Marie Gustave ; Eugénie Agenais, in religion, Sister Marie Septimie ; Angélique Banâtre, in religion, Sister Marie Sophie, all of the town and district of Joliette, and all such persons as are now, with them, members of the community called "*La Congrégation des Sœurs des Saints Cœurs de Jésus et de Marie*," or who shall hereafter become members, in accordance with the rules, statutes and by-laws, are incorporated under the name of "*La Congrégation* <sup>Name.</sup> *des Sœurs d's Saints Cœurs de Jésus et de Marie*."

2. The corporation shall have perpetual succession, and <sup>Powers.</sup> may :

a. Have a seal which it may modify or renew at will ;

b. Appear before the courts ;

c. Accept, hold and acquire moveable and immoveable property of any kind whatsoever, provided the value of the immoveables held by the said corporation shall not exceed the sum of two hundred thousand dollars ;

d. For the purposes for which they are constituted, sign bills of exchange, promissory notes, lease, sell, exchange or otherwise alienate its moveable and immoveable property under any title whatsoever, and hypothecate, its immoveables

e. Found, establish and maintain in this Province, novitiates, convents, establishments, or branches, erect all the necessary buildings for the purpose, and, by complying with the formalities required by law, establish cemeteries for the interment of its members ;

f. Under the constitution and rules of the community, make by-laws for the admission, government, and removal or dismissal of its members and the general administration of its property ;

g. Appoint officers, procurators and administrators and define their powers.

Corporate  
seat.

3. The corporate seat of the corporation shall be in the town of Joliette, in the district of Joliette.

Statement to  
be sent to  
Lieutenant-  
Governor in  
Council.

4. The corporation shall transmit to the Lieutenant-Governor in Council, when required so to do by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers, and a certified copy of its rules and regulations.

Coming into  
force.

5. This act shall come into force on the day of its sanction.

## CHAP. 148

An Act to incorporate *Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS, *Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*, have, by their petition, represented that for nearly fifty years there has existed in the parish, county and district of St. Hyacinthe a community of nuns called "*Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*," the object of whose members is to devote themselves in common to works of piety, mercy and charity consistent with the contemplative life they live

Whereas, the said community has already been incorporated under the name of "*Les Sœurs du Précieux Sang*" by the act of the Province of Canada, 27 and 28 Victoria, chapter 151 ;

Whereas the said act no longer properly meets the present conditions of the existence of the said community, both by its title and by its various provisions ;

Whereas the said community has prayed that the said act be repealed and replaced by a new act which will better meet its requirements ;

Whereas it is expedient to grant the prayer to that effect contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

27-28 V., c.  
151, repealed.

1. The act 27 and 28 Victoria, chapter 151, incorporating "*Les Sœurs du Précieux Sang, de Saint Hyacinthe*" is hereby repealed ; on condition, however, that all the rights, powers, privileges, acts and obligations exercised either by the said corporation towards any party or by any party towards the said corporation under the said act, shall suffer no prejudice

and shall retain their legal effect as regards the parties interested. Proviso.

2. All the moveable and immoveable property, sums of money, shares, policies, notes, obligations and bonds now held by the said corporation so dissolved, shall hereafter be held by and are hereby transferred to the new corporation hereinafter constituted which shall be the proprietor thereof. Property of old corporation transferred to new.

3. Dame Herminie Bourdon, in religion, Mother Marie du Saint Esprit, superior; Dame Julie Barbeau, in religion, Sister Marie de l'Assomption, assistant; Dame Louise Dupuis Valade, in religion, Sister Saint Jeanne de Chantel, mistress of the novices; Dame Sophie Gendron, in religion, Sister Thérèse de Jésus, depositary; Dame Sophronie Boucher, in religion, Sister Saint Francois-Xavier, secretary; Dame Evelina Perrault, in religion, Sister Aimée de Marie, counsellor; Dame Agnès Renaud, in religion, Sister Marie Berchmans, counsellor, all now members of the community, called "*Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*" established in the parish, city and the district of St. Hyacinthe, and such other persons as now are or may hereafter become members and fulfil the objects thereof, in accordance with its rules, statutes and by-laws, are constituted a new corporation, under the name of "*Les Sœurs Adoratrices du Précieux Sang, de Saint Hyacinthe*" for the purposes mentioned in the preamble to this act." Persons incorporated.

4. Under such name, the corporation hereby incorporated shall have perpetual succession and may:

- a. Have a common seal which it may change at will;
- b. Appear before the courts;
- c. Purchase, acquire, hold, borrow, lease, accept and receive under any legal title, moveable and immoveable property of any kind whatsoever, provided always that the value of the immoveable property held by it shall not exceed the sum of five hundred thousand dollars;
- d. Sign bills of exchange, promissory notes, lease, sell, exchange, alienate under any title whatsoever its moveable or immoveable property for its objects and ends according to the constitution of the community or for the objects and ends of its foundations, if necessary, and hypothecate its immoveables;
- e. Found, establish and maintain in this Province, monasteries, novitiates, establishments or branches for fulfilling the ends of its constitution, delegate all the administrative powers, rights and privileges conferred upon it by this act and erect all the buildings necessary for such various objects;

*f.* Have or establish a vault or cemetery on the property of each of its monasteries for the purpose of depositing therein the mortal remains of its deceased members, provided it complies in this respect with the prescriptions of the laws and regulations in force on the subject.

Constitution,  
by-laws, &c.

**5.** The corporation shall be governed according to the constitution, rules and usages of the community, and it shall have the right to make, pass, modify and repeal rules and by-laws concerning the general administration of its property, the direction and internal government, election, number and powers of its officers and directresses, the admission, departure and dismissal of its members, and generally all by-laws relating to the purposes of the corporation.

Corporate  
seat.

**6.** The corporate seat of the corporation shall be in the parish of St. Hyacinthe, in the city and district of St. Hyacinthe. Another place in this Province may be selected at any time by by-law of the corporation. No such by-law shall, however, come into force until it has been approved by the Lieutenant-Governor in Council and published three times in the *Quebec Official Gazette*.

Appointment  
of officers, &c.

**7.** The corporation may appoint and remove one or more officers, procurators or administrators outside of the community and define their powers.

Council.

**8.** Three members of the corporation, to wit : the superioress, the assistant and the depositary shall constitute the council of the said corporation.

Powers of  
council.

**9.** The said council shall have all the rights and powers of the corporation for making rules and by-laws, and transacting the affairs of the corporation.

Corporation  
bound by  
signature of  
council.

Replacing of  
members of  
council.

**10.** The signature of the members of the said council shall suffice in all matters and shall bind the corporation.

**11.** The members of the said council, who may be unable to act, owing to absence or other causes, shall be replaced in equal number by the members of the corporation with the same powers in the manner provided by the by-laws.

Revenues  
how em-  
ployed.

**12.** The revenues of the corporation shall be employed for the sole purposes of the corporation.

Statement to  
Lieutenant-

**13.** The corporation shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Pro-

vincial Secretary, a detailed statement of its moveable and im- Governor in  
moveable property, the names of its officers and a certified Council.  
copy of its rules and regulations.

14. This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 149

### An Act to incorporate *Les Sœurs Adoratrices du Précieux Sang, de Lévis*

[Assented to 14th April, 1908]

**W**HEREAS, the religious ladies hereinafter named have Preamble.  
by their petition represented :

That, from the 21st May, 1906, there has existed in the town of Lévis, in the Province of Quebec, a branch of the religious community called that of "*Le Précieux Sang, de St. Hyacinthe*"; that they are established at Lévis as aforesaid with the authorization of His Grace Monseigneur L. N. Bégin, archbishop of Quebec ; that their chief object and purpose consists in devoting themselves to works of piety, mercy and charity in accordance with the contemplative life they lead;

Whereas the said community, through the intermediary of the superioress and of the other officers, hereinafter named, has prayed to be incorporated under the name of "*Les Sœurs Adoratrices du Précieux Sang, de Lévis*," with power to acquire moveable and immovable property and generally to manage and administer its affairs under such corporate name, and whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Reverend Mother Veronique de la Passion, (née Vir- Persons in-  
ginie Dion), superioress ; Reverend Sisters Marie Raphael corporated.  
(née Fannie Duguay) assistant ; de la Nativité de Marie  
(née Celine Gagnon), mistress of the novices ; Marie Reparatrice  
(née Yvonne Nadeau,) depositary ; Marie St. Agnès (née  
Alice Moreau), councillor ; and Marguerite Marie (née Josephine  
Derome), capitulary, all now members of *La Communauté  
du Précieux Sang, de Lévis*, and such other persons as may  
hereafter be admitted into the said community and form part  
thereof in accordance with its rules and constitution, are hereby  
incorporated under the name of "*Les Sœurs Adoratrices du Name.  
Précieux Sang, de Lévis*," for the purposes aforesaid.

**Corporate seat.**      The corporate seat of the said corporation shall be in the town of Lévis.

**Powers.**      **2.** The corporation shall have perpetual succession ; the right and power to appear before the courts ; to have a common seal which it may change at will ; to acquire, hold, accept and receive all moveable and immoveable property and the same to lease, sell, convey, transfer, exchange or otherwise dispose of and replace by others, and hypothecate their immoveables ; provided, however, the value of the said property shall not exceed the sum of three hundred thousand dollars the revenues whereof shall be employed for the purposes of the said corporation

**Erection of buildings, novitiate, &c.**      **3.** The corporation is further authorized to erect buildings suitable for its purposes, open a novitiate, establish a cemetery on its property for the interment of the mortal remains of its deceased members, in accordance with the prescriptions and regulations of the civil authorities.

**Borrowing, &c.**      **4.** The corporation may borrow, sign promissory notes and otherwise transact business and enter into contracts in the same manner as any person may do, in accordance with its rules, statutes and by-laws.

**Rules, regulations, &c.**      **5.** The corporation shall be governed according to the community's rules duly approved by the superior ecclesiastical authority, and it may adopt regulations respecting its property, direction, internal government, administration by its officers, the powers and duties of the latter, the admission and removal of its members, and may also repeal or amend such regulations.

**Quorum.**      **6.** Three members of the corporation, to wit : the superior-ess, the assistant and the depositary, or such persons as may replace them in their office, shall constitute the quorum for the adoption or amendment of the regulations and for the transaction of the corporation's business. The said quorum

**Attorney.**      may, by a document signed by its members, appoint an attorney, remove him if deemed expedient and appoint another in his place to represent the corporation, attend to its interests and defend it before all courts of justice.

**Statement to Lieut.-Gov. in Council.**      **7.** The corporation shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Provincial Secretary, a detailed statement of its moveables and immoveables, the names of its officers, and a certified copy of its rules and regulations.

**Coming into force.**      **8.** This act shall come into force on the day of its sanction.



## C H A P . 150

An Act to consolidate and amend the act incorporating *Les Sœurs de Miséricorde de Montréal*

[Assented to 14th April, 1908]

**W**HEREAS *Les Sœurs de Miséricorde pour la régie de l'Hospice de la Maternité de Montréal* have, by their petition, represented that they were incorporated by an act of the Parliament of the former Province of Canada, 12 Victoria, chapter 138 ; that their institution has extended and has multiplied its works ; that it has become a religious community duly established and recognized by the authorities of the Roman Catholic Church ;

Whereas they have prayed that their charter be consolidated and amended so as to better define their powers and it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** The *Sœurs de Miséricorde* constitute a corporation Name of corporation. which shall hereafter be known and designated under the name of "*Les Sœurs de Miséricorde de Montréal.*" Under such name they continue the present corporation and have perpetual Powers. succession. They may have a common seal and change, alter and renew the same from time to time, at will. They may also under such name appear before all courts of justice, sue and be sued, as any other corporation or person may lawfully do.

**2.** The said *Sœurs de Miséricorde de Montréal* have the corporate seat of their principal establishment in the city of Montreal, but may establish the same at any place in this Province they may deem suitable, and they may establish branch establishments in various places for carrying out the purposes of their incorporation.

A notice of the change of such corporate seat, which change can be made only with the authorization of the Lieutenant-Governor in Council, shall be published in the *Quebec Official Gazette* of, &c.

**3.** The said corporation shall be governed and administered by a general council elected by a chapter composed and chosen in the manner prescribed by the statutes and regulations in force in the said community ; and such chapter is empowered to adopt all necessary statutes and regulations respecting the election, number and powers of the officers ; the admission

Preamble.

Name of corporation.

Powers.

Corporate seat.

Notice of change thereof, &c.

General council.

Chapter.

Powers of chapter.

and removal of members to and from the institution ; the manner of convening meetings of the chapter and council ; the date when the meetings shall be held ; the number of members required to form a quorum at such meetings ; the powers and attributes of the council ; and generally all such other regulations as may be necessary for the administration of the property and affairs of the said institution, the control and internal government of the members ; and from time to time to alter and repeal the same wholly or partly ; provided such by-laws are not contrary to the present act or to the laws in force in this Province.

Powers of  
general coun-  
cil.

4. The general council of the community shall be the executive body of the corporation, and it shall be its duty to exercise the powers mentioned in this act. It may appoint such officers and agents as may be necessary for the internal government of the houses and for the proper administration of the property and affairs of the corporation, both at the principal establishment and in the branches.

Purchase, &c.  
of property.

5. The corporation shall have power to purchase, acquire, hold, possess, accept and receive for the needs and purposes of the corporation, lands, tenements, hereditaments, constituted or other rents and generally all moveable and immoveable property whatsoever, in trust or otherwise, either by purchase, gift, legacy or otherwise and it may sell, alienate, convey, lease, transfer, exchange or otherwise dispose of the same under any title whatsoever for the same purposes, and may hypothecate its immoveables ; provided the value of the immoveables it may possess, shall not exceed two million dollars.

Establish-  
ment of ma-  
ternities, &c.

6. The said institution shall have the right to establish and found houses for maternity and for the practice of obstetrics, with dispensaries, nurseries, and orphan asylums for abandoned children, hospitals for the sick, training schools for nurses, with power to grant diplomas to those who successfully go through the course of study established in such schools.

Care, &c., of  
children, in  
nurseries, &c.

In the nurseries and orphan asylums of the institution, the latter may keep, care for, feed, clothe and teach children who have been abandoned by their mothers for six months, until they are sixteen years old, unless they be placed elsewhere before they have reached that age. It may watch over, control and place them accordingly as their moral and physical needs may require as parents may do. It may reclaim them when necessary if it finds that they are being ill-treated or badly brought up.

Boarding, &c.  
of certain  
persons.

The community may receive and board persons who wish to put themselves under the care of the sisters of the community,

also sick, aged or infirm priests or priests who have withdrawn from active duties, and generally do and perform all charitable and benevolent works.

**7.** Properties used as houses in which are chapels for divine worship, shall be exempt from the taxes levied for the construction and repair of churches and parsonages. Certain property exempt from certain taxes.

The corporation is considered to have been and is authorized to keep registers of civil status in its houses in addition to the registers in which the monastic vows are recorded. Registers of civil status.

**8.** The act of the former Province of Canada 12 Victoria, 12 V., c. 138, chapter 138, is repealed. repealed.

**9.** The corporation shall, when required so to do by the Lieutenant-Governor in Council, give a detailed statement of the immoveables owned and possessed by it, as well as of the annual amount of its revenues. Statement of immoveables, &c.

**10.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 151

An Act to incorporate Congregation Beth Judah, of Montreal

[Assented to 25th April, 1908]

**WHEREAS**, Samuel Guttman, Mendel Benjamin, Hermann Cohen, Isaac Moses, Jacob Herschkovitz, David Dorobanner and Abraham Barich, all of the city of Montreal, merchants, have, by their petition, represented that they belong to the Jewish religion and are adherents thereto, and that for the purposes of divine worship according to the tenets of the Jewish religion, it is expedient and in the interests of the petitioners that they should be incorporated in order that the corporation to be formed may in its own name, acquire and possess property, moveable and immoveable, and do all acts that may be required for the purposes of its formation, and whereas it is expedient to grant their prayer ; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**1.** Samuel Guttman, Mendel Benjamin, Hermann Cohen, Isaac Moses, Jacob Herschkovitz, David Dorobanner and Abraham Barich, and all other persons who may become Persons incorporated.

Name. members are hereby constituted a corporation, under the name of "Congregation Beth Judah, of Montreal."

Acquisition of immoveables, &c.

**2.** The said corporation may at any time, acquire, sell, lease, exchange, hypothecate or alienate its immoveables or any part thereof, and acquire other immoveable property in lieu thereof, and the said corporation shall have the power to draw, make, accept and endorse bills of exchange, promissory notes and other negotiable instruments under the hands of its officers or others as may be determined by its board of directors.

Value of immoveables.

The value of the immoveables the congregation may possess shall not exceed one hundred thousand dollars.

By-laws.

**3.** The corporation is authorized to make by-laws for the regulation and government of the said corporation, and shall have the power to amend and repeal the whole or any part of such by-laws as may be expedient, provided always that no one of such by-laws be inconsistent with this act, or with the laws of this Province.

Registers of civil status.

**4.** The said corporation shall keep registers for acts of civil status, and may, from time to time, appoint a rabbi or officiating minister, and may remove him and appoint another or others in his place; and the rabbi or officiating minister of the said congregation is hereby authorized and empowered to keep registers for acts of civil status, and to exercise all other powers appertaining to ministers of religious congregations.

Appointment, &c., of rabbi, &c.

9-10 Geo. IV, c. 75, not to apply.

**5.** The act of the late Province of Lower Canada, 9-10 George IV, chapter 75, shall not apply to the members and officiating minister of the said congregation.

Charter, &c., of Montreal, not affected.

**6.** Nothing in this act shall prevent the provisions of the charter of the city of Montreal, or of the by-laws passed by the said city in accordance with its charter, from applying to this corporation, nor the provisions of the law governing public health.

Statement to Lieut.-Gov.

**7.** The corporation shall, whenever thereunto required by the Provincial Secretary, transmit to the Lieutenant-Governor in Council, a statement of its moveables and immoveables, the names of its officers and a certified copy of its rules and by-laws.

Coming into force.

**8.** This act shall come into force on the day of its sanction.

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## C H A P . 152

An Act to amend the act 1 Edward VII, chapter 86, incorporating the Congregation Chevra Kadisha, of Montreal

[Assented to 25th April, 1908]

**W**HEREAS, the Congregation Chevra Kadisha, of Montreal, has by its petition, represented that by the act incorporating the said congregation, to wit : 1 Edward VII, chapter 86, it has the power to hold, acquire and possess immoveable property in and near the city of Montreal, required for a place of worship, for a cemetery, and for other purposes, but no provision is made in such act giving the congregation permission to exchange or hypothecate any immoveable property which it might possess, and it is in the interest of such congregation that power be given such congregation to so exchange or hypothecate such immoveable property which it may now possess or may in the future acquire; Preamble.

Whereas it is expedient to grant the prayer contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec enacts as follows :

1. The Congregation Chevra Kadisha, of Montreal is empowered to exchange or hypothecate any immoveable property which it now possesses or may hereafter possess. Congregation authorized to hypothecate.

2. This act shall come into force on the day of its sanction. Coming into force.

## C H A P . 153

An Act to incorporate The Congregation Bais Israel

[Assented to 14th April, 1908]

**W**HEREAS Louis Lazarovictz, Samuel Rosen, Nathan Gardner, Abraham Fish, Osias Feiczewicz, David Feiczewicz, Isaac Hersberg, Charles Lax, Nathan Kleinberg, Mendel Besler, David Ortenberg, Benzion Ortenberg, Moses Gardner, Harry Silberman and Eli Endler, all of the city and district of Quebec, merchants, have, by petition, represented that they are officers and members of a congregation of persons belonging to the Jewish religion that has for some years existed for purposes of divine worship in the city of Quebec under the Preamble.

name of "The Congregation Bais Israel," and have prayed to be incorporated under the said name ; and whereas it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons incorporated.

1. Louis Lazarovitz, Samuel Rosen, Nathan Gardner, Abraham Fish, Osias Feiczewicz, David Feiczewicz, Isaac Hersberg, Charles Lax, Nathan Kleinberg, Mendel Besler, David Ortenberg, Benzion Ortenberg, Moses Gardner, Harry Silberman, and Eli Endler, and all other persons who now are or may hereafter become members of the said congregation, are hereby constituted a corporation under the name of "The Congregation Bais Israel."

Name.

Corporate seat.

2. The corporate seat of the said congregation shall be in the city of Quebec.

Property of congregation transferred to corporation, &c.

3. All property, moveable and immoveable, now possessed by, or belonging to, or held in trust for the said congregation shall be and is hereby transferred to and vested in the said corporation ; and the said corporation shall have and exercise all rights belonging to the said congregation, and shall be subject to all the obligations contracted by it.

Acquisition of property, &c.

4. The said corporation may have, hold and possess, and may acquire, by purchase, gift, will or otherwise, any immoveable property in and near the city of Quebec, that may be required for a synagogue or place of worship, or for a house for the residence of the rabbi or officiating minister, or for a school house or for a house of refuge or benevolence or for a cemetery or burial ground, or for any other purpose of the said corporation ; and it may at any time sell the said property or any part thereof and acquire other immoveables in lieu of the same ; provided always that the use of any land for a cemetery shall be subject to the laws respecting cemeteries ; and provided further that the immoveable property held by the said corporation shall not exceed, on the whole, the quantity of ten arpents in superficial extent, and that the value thereof shall not exceed the sum of two hundred thousand dollars, and that it may hypothecate such immoveable property.

Receiving of property above limit.

5. In the event of the said corporation receiving by gift or will any immoveable property in excess of that which it is hereby authorized to possess, the said gift or legacy shall not on that account be void, but the said corporation shall be bound, within ten years from the date of its entering into

undisturbed possession of the said gift or legacy, to sell and dispose of the said immoveable property or part thereof, or some other immoveable property, in such manner that the immoveable property of the said corporation shall not exceed the said value aforesaid. Disposal thereof, &c.

**6.** The present officers and trustees of the said congregation shall be the officers and trustees of the said corporation until others shall be elected according to the by-laws of the corporation, and the present by-laws of the said congregation shall be the by-laws of the said corporation until they shall be repealed or altered ; and the said corporation shall have power to amend and repeal, from time to time, the whole or any part of the said by-laws as may be expedient, provided always that none of such by-laws be inconsistent with this act or with the laws of this Province. Present officers, &c., to continue in office, &c. By-laws, &c.

**7.** The corporation shall keep registers for acts of civil status ; and it may, from time to time, appoint a rabbi or officiating minister, and remove him and appoint another or others in his place ; and the rabbi or officiating minister of the said congregation is hereby authorized and empowered to keep the registers for acts of civil status, and to exercise all other powers appertaining to ministers of religious congregations. Registers of civil status. Rabbi, &c.

**8.** The act of the late Province of Lower Canada, 9-10 Geo. IV, George IV, chapter 75, shall not apply to the members nor to the officiating minister of the said congregation. 9-10 Geo. IV, c. 75, not to apply.

**9.** Nothing in this act shall prevent the provisions of the charter of the city of Quebec, the by-laws passed by the said city in accordance with its charter, nor the provisions of the law governing public health from applying to this corporation. Provisions of Quebec city charter, &c., not excluded.

The corporation, whenever required so to do by the Provincial Secretary, shall transmit to the Lieutenant-Governor in Council, a detailed statement of its immoveable property, a copy of its rules and regulations, and the names of its officers. Statement to Lieut.-Gov. in Council.

**10.** This act shall come into force on the day of its sanction. Coming into force.

## C H A P . 154

An Act to incorporate *L'Association des anciens élèves et gradués de l'Université Laval, à Québec*

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS Monseigneur O. E. Mathieu, C.M.G., apostolic prothonotary ; Sir François Langelier, acting Chief Justice of the Superior Court ; Honourable E. J. Flynn, advocate, K.C., L.L.D. ; Jean A. Charlebois, notary ; Isidore Belleau, advocate, K. C., and others, all of Quebec, the said Isidore Belleau of the town of Levis, all former students and graduates of Laval University, in Quebec, have, by their petition, represented that they wish to form an association to aid the development of the said university, to more closely unite the former students together and to contribute to the development of the work of the Syndicat Financier de l'Université Laval à Québec ;

And whereas it is expedient to grant the prayer of said petition

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

**1.** Monseigneur Olivier E. Mathieu, C.M.G., apostolic prothonotary ; Sir François Langelier, acting Chief Justice of the Superior Court ; Monseigneur Louis Adolphe Paquet, apostolic prothonotary, doctor in theology ; Monseigneur Joseph Clovis K. Laflamme, apostolic prothonotary, doctor in theology ; Monseigneur François Faguy, B.A. ; Honourable H. Cyrias Pelletier, judge of the Superior Court ; Laurent Catellier, M.D. ; Honourable Edmund J. Flynn, K.C., L.L.D., advocate ; Honourable Charles Langelier, K.C., L.L.D., advocate ; Isidore Belleau, K.C., L.L.D. ; Jean A. Charlebois, L.L.D., notary ; Abbé Amédé Gosselin, M.A. ; Louis Philippe Sirois, L.L.D., notary ; Joseph Evariste Prince, L.L.D., advocate ; E. F. Arthur Simard, M.D. ; Adjutor Rivard, M.A., L.L.B., advocate, all of the city of Quebec, the professors, former students and graduates of Laval University who shall be admitted to form part thereof, are incorporated under the name of "*L'Association des anciens élèves et gradués de l'Université Laval, à Québec.*"

## Name.

## Objects.

**2.** The object of the association is to strengthen the bonds of brotherhood, to unite the former students of Laval University to that institution, to procure them means of working efficaciously in promoting the work of the *Syndicat Financier de l'Université Laval, à Québec*, and generally for the progress and advancement of the said university.



**3.** 1. The association shall have all the powers conferred Powers.  
by the Civil Code on corporations, as well as those that may  
be necessary to enable it to attain its objects ;

2. Power to impose annual assessments and contributions  
upon its members ; to acquire, under any title whatsoever, to  
hold and administer moveable and immoveable property, such  
immoveable property not to exceed two hundred thousand  
dollars in value and dispose of the same according to its by-laws  
in favor of the *Le Syndicat Financier de l'Université Laval à  
Québec*, or of the council of the said university ; and

3. The right to make by-laws for its own government and  
for the administration and disposal of its property and for the  
hypothecation of its immoveables.

**4.** The affairs of the corporation shall be managed and Affairs of  
administered by the officers, boards and committees established corporation  
in virtue of the by-laws of the association. how adminis-  
tered.

**5.** The head office of the association shall be in the city of Head office.  
Quebec.

**6.** The association shall transmit to the Lieutenant-Gover- Transmission  
nor in Council, whenever required so to do, a detailed state- of certain docu-  
ment of its immoveables, a copy of its by-laws, and the names ments to  
of its officers. Lieutenant-  
Governor in  
Council.

**7.** This act shall come into force on the day of its sanction. Coming into  
force.

## CHAP. 155

An Act to amend the charter and define the powers of Univer-  
sity Club of Montreal

[Assented to 14th April, 1908]

**W**HEREAS University Club of Montreal, has by its peti- Preamble.  
tion represented :

That by Letters Patent under the great seal of the Province  
of Quebec granted on the eighth day of November, nineteen  
hundred and seven, it was constituted a body politic and cor-  
porate under the name of University Club of Montreal, and

That it is desirable in the interest of the club that its charter  
be amended and its powers defined ; and has prayed for an  
act to amend its charter and define its powers giving it power  
among other things to acquire and hold real estate and the  
same to hypothecate, sell or transfer, to issue bonds secured

on its real estate and to do all such things as are requisite for the carrying on of the club and,

Whereas it is expedient to grant such prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

University Club of Montreal to continue as a corporation, &c.

1. The corporation known as University Club of Montreal shall continue as a corporation and shall have perpetual succession and a common seal, but shall no longer be subject to the provisions of the Quebec Companies' Act, 1907. It shall continue to own the property now belonging to it and to be responsible for its debts.

Members of the corporation.

2. The corporation shall consist of the members now constituting the said club, and those who may hereafter be elected as such. Any member of the club may cease to be such according to the provisions of the by-laws.

Members not liable for corporate debts.

3. The members shall not be personally liable for the debts of the club.

Objects of club.

4. The objects of the club shall be the acquisition and maintenance of a club-house in the city of Montreal for the purposes of recreation, instruction, amusement and the provision of lodging therein for the members of the club, the promotion of intercourse and friendship among university and college graduates, the cultivation of the university spirit and the promotion of liberal education.

Capital stock annulled, &c.

5. The capital stock heretofore issued by the club is cancelled and annulled and the amount paid by each member as subscription for one share of such capital stock shall be applied to payment of his entrance fee.

Powers as to property

6. The club shall have power to acquire, receive, take on lease and hold such moveable or immoveable property as may from time to time be requisite for its purposes to the extent of three hundred thousand dollars and the same to alienate, or otherwise charge or dispose of, and to hypothecate its immoveables.

Bills of exchange, &c.

7. The club shall have power to draw, make, accept, and endorse bills of exchange and promissory notes.

Borrowing.

8. The club upon a resolution of two-thirds of its members present in person or by proxy at a meeting specially convened for the purpose, may borrow money and if it see fit may issue

as security therefor, bonds or debentures bearing such rate of interest and payable at such times and places as the club Bonds, &c. may determine, to such amounts as the club may from time to time find necessary or advisable in its interests, to the extent of two hundred thousand dollars and such bonds and debentures may be secured by a trust deed executed either before or after the issue, conveying, hypothecating or otherwise charging the club's immoveable property.

**9.** The present by-laws of the club are hereby annulled. By-laws annulled.

**10.** The club shall have power to adopt such by-laws, Passing of rules, and regulations not inconsistent with the laws of this Province as may be requisite for the administration of its affairs and the same at any time to alter or repeal.

**11.** The present directors, namely : Messrs Seargeant P. Stearns, Paul F. Sise and W. Graham Browne, are hereby constituted a provisional committee with power to call a general meeting of the club for the purposes of organization, including the adoption of by-laws and the election of the officers, and until such general meeting of the club the said provisional committee shall have general direction and control of the property of the club. Such general meeting shall be called within one month from the date when this act shall come into force. One clear week's notice thereof shall be given and one-half of the members present in person or by proxy shall constitute a quorum. Provisional committee. Its powers. General meetings, &c.

**12.** This act shall come into force on the day of its sanction. Coming into force.

## CHAP. 156

### An Act to incorporate The First Prince of Wales Fusiliers Armoury Association

[Assented to 14th April, 1908]

**W**HEREAS Honorary Lieutenant-Colonel Jeffrey Hale Preamble.  
Burland, Lieutenant-Colonel John Ainsley Finlayson,  
Major Walter Hunter Laurie, Major William George MacVicar  
Stuart and Captain James Cooper, and the officers of the First  
Regiment of the Militia of Canada known as Prince of Wales  
Fusiliers of Canada, have, by their petition, represented that  
they wish to be incorporated as an association for the purposes  
of owning and maintaining a regimental armoury in the city

of Montreal, and for other regimental purposes, and that it be enacted as hereinafter set forth ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

- |                                      |  |
|--------------------------------------|--|
| Persons incorporated.                | <b>1.</b> Honorary Lieutenant-Colonel Jeffrey Hale Burland, Lieutenant-Colonel John Ainsley Finlayson, Major Walter Hunter Laurie, Major William George MacVicar Stuart and Captain James Cooper, all of the city of Montreal, and the other active commissioned officers, including the Honorary Colonel and Honorary Lieutenant-Colonel, either present or future, of the First Regiment of the Militia of Canada presently known as Prince of Wales Fusiliers of Canada, and such honorary members as may be provided for by the by-laws of the association, are incorporated under the name of " First Prince of Wales Fusiliers Armoury Association," hereinafter called the " Association ". |
| Name.                                |  |
| Provisional committee.               | <b>2.</b> The said Honorary Lieutenant-Colonel Jeffrey Hale Burland, Lieutenant-Colonel John Ainsley Finlayson, Major Walter Hunter Laurie, Major William George MacVicar Stuart and Captain James Cooper, shall be the first or provisional committee of the association, and shall continue in office until replaced by a committee elected according to the by-laws of the association.   |
| Head office.                         | <b>3.</b> The head office of the association shall be in the city of Montreal, in the Province of Quebec.  |
| First general meeting.               | <b>4.</b> The first general meeting of the association or organization, the passing of by-laws and other business, shall be held at the city of Montreal at such time and place as the provisional committee determines.   |
| Powers of provisional committee, &c. | <b>5.</b> The provisional committee, the committee elected according to the by-laws, and the officers of the association, may exercise any or all of the powers of the association, as may be provided by by-law, from time to time.   |
| Objects of association.              | <b>6.</b> The objects and powers of the association shall be :<br><div style="margin-left: 20px;">a. To own and maintain a regimental armoury for the purposes of said regiment in the city of Montreal, and to act generally in the interests of the regiment ;</div> <div style="margin-left: 20px;">b. To acquire real property and mortgage, lease, sell and otherwise alienate it, provided that the value of such property</div>   |

held by the association at any one time shall not exceed the sum of three hundred thousand dollars ; and to acquire and dispose of such moveable property as the association may require ;

(c) To sue and be sued in any manner whatever ;

(d) To make by-laws, rules and regulations for the governing of the association and the carrying out of its objects ;

(e) To draw, make, accept and endorse bills of exchange, promissory notes and other negotiable instruments, under the hands of its officers or others as may be determined by its committee.

**7.** No member of the association shall be personally liable for any of the debts thereof. Members not personally liable.

**8.** For the purposes hereof, an active commissioned officer of the regiment shall become such on the date he is gazetted to the regiment, and shall cease to be such on the date he is gazetted out of the regiment either to the "retired list" or the "reserve" or otherwise. Date when active commissioned officer becomes such, &c.

**9.** Every member retiring from or ceasing to be an active commissioned officer of the regiment shall *ipso facto* forfeit all rights of membership in the association and its property. Retiring members.

**10.** Revenues arising from the property of the association and all moneys borrowed on the security thereof, shall be the property and employed for the exclusive use of the association and for the construction, repairing and furnishing of buildings and apartments required for its purposes. Revenues, &c., of association.

**11.** The association shall transmit to the Lieutenant-Governor in Council, whenever required so to do by the Provincial Secretary, a detailed statement of its moveable and immoveable property, the names of its officers and a certified copy of its rules and regulations. Statement to be transmitted to Lieutenant-Governor in Council.

**12.** This act shall come into force on the day of its sanction. Coming into force.

## C H A P . 157

## An Act to incorporate the Country Club

[Assented to 14th April, 1908]

## Preamble.

**W**HEREAS, the Right Honorable Sir H. E. Taschereau, Kt., P.C. ; the Honorable Sir Charles Fitzpatrick, K.C. M.G. ; the Honorable Sir Adolphe P. Caron, K.C.M.G. ; the Honorable N. A. Belcourt ; the Honorable W. C. Edwards ; George H. Perley, Esq. M.P., ; George Burn, Esq. ; C. Berkeley Powell, Esq. ; W. H. Rowley, Esq. ; H. K. Egan, Esq. ; E. J. Chamberlin, Esq. ; E. F. Fauquier, Esq. ; G. E. Fauquier, Esq. ; Robert Gill, Esq. ; and Dennis Murphy, Esq., have by their petition, prayed to be incorporated under the name of "The Country Club," to carry on, among other things, a club for the encouragement of riding, driving, motoring, boating, fishing, tennis, bowling, and like sports, and for social purposes, and for purposes of amusement :

And whereas it is expedient to grant the prayer of the said petitioners ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

## Persons incorporated.

**1.** The Right Honorable Sir H. E. Taschereau, Kt., P.C. ; the Honorable Sir Charles Fitzpatrick, K.C.M.G. ; the Honorable Sir Adolphe P. Caron, K.C.M.G. ; the Honorable N. A. Belcourt ; the Honorable W. C. Edwards ; George H. Perley, Esq. ; M.P. ; George Burn, Esq. ; C. Berkeley Powell, Esq. ; W. H. Rowley, Esq. ; H. K. Egan, Esq. ; E. J. Chamberlin, Esq. ; E. F. Fauquier, Esq. ; G. E. Fauquier, Esq. ; Robert Gill, Esq., and Dennis Murphy, Esq., and all other persons who have agreed to subscribe for, and who shall hereafter hold shares in the capital stock of the club hereby incorporated, are hereby incorporated under the name of "The Country Club," (hereinafter called "the Club") which shall be a corporation, and shall have perpetual succession, and a common seal.

## Name.

## Objects.

**2.** The objects of the club shall be the encouragement of riding, driving, motoring, boating, fishing, tennis, bowling, and like sports, and for social purposes, and for purposes of amusement, but the committee of the club, (hereinafter referred to) shall alone have authority, from time to time, in its discretion, to maintain, regulate, control, or discontinue within the premises of the club, all or any of the said sports or amusements.

**3.** Article 4655 of the Revised Statutes is amended for the club by adding thereto the following paragraph: R.S.Q., 4655,  
amended for  
club.

"The club, by its name, shall at all times have the power to acquire, exchange, hold, lease, possess and enjoy both moveable and immoveable property, necessary for any of the purposes of the club, or for its use or occupation, and the said property to pledge, sell, alienate, and dispose of, and to acquire other instead thereof, and to hypothecate its immoveables." Acquisition,  
&c., of prop-  
erty.

**4.** The headquarters and principal place of business of the club shall be at its club house, situate on the Aylmer road, in the township of Hull, in the county of Ottawa, in this Province. Principal  
place of busi-  
ness.

**5.** The second paragraph of article 4655 of the Revised Statutes, as amended by 2 Edward VII, chapter 30, section 1, is replaced for the club by the following: R.S.Q., 4655,  
par. 2, re-  
placed for  
club.

"The club shall have the power to borrow money, and to draw, make, endorse and accept cheques, bills of exchange and promissory notes, necessary for the purposes of the club, and every contract, agreement, engagement or bargain made, and every bill of exchange drawn, accepted or endorsed, and every promissory note and cheque made, drawn or endorsed, on behalf of the club, in accordance with its powers as such under its by-laws, rules and regulations, shall be binding upon the club. In no case shall it be necessary to have the seal of the club affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-laws, rules or regulations or special vote or order. The parties so acting as officers of the club shall not thereby be subjected personally to any liability whatever to any third party thereof." Powers of  
club.  
Officers of  
club not  
personally  
liable.

**6.** The capital stock of the club shall be one hundred thousand dollars, divided into four hundred shares of two hundred and fifty dollars each. Capital stock.

**7.** Wherever in this act the word "proprietor" occurs, it shall be taken to mean, and shall mean, a shareholder, or person to whom has been allotted one or more shares in the capital stock of the club, in accordance with the by-laws then in force regulating the same. Meaning of  
"proprietor."

Wherever in this act the word "member" occurs, it shall be taken to mean, and shall mean, a person not a shareholder, who has been admitted to the privileges of membership of the club, under the provisions of the by-laws, from time to time in force. Meaning of  
"member."

R.S.Q., 4663,  
replaced for  
club.

By-laws of  
proprietors.

**8.** Article 4663 of the Revised Statutes is replaced for the club by the following :

“ **4663.** The proprietors of the club, in general meeting assembled, shall, for the management of its affairs, have the sole power to make by-laws, rules and regulations for the following purposes :

1. The regulating of the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock ;

2. The declaration and payment of dividends ;

3. The number of the directors, their term of service, the amount of their stock qualification, and their remuneration, if any ;

4. The appointment, functions, duties and removal of all agents, officers and servants of the club, the security to be given by them to the club and their remuneration ;

5. The time and the place within the Province for the holding of the annual meetings of the club, the calling of meetings, regular and special, of the board of directors and of the club, the quorum, the requirements as to proxies, and the procedure in all things at such meetings ;

6. The imposition and recovery of all penalties and forfeitures which admit of regulation by by-law ;

7. The conduct, in all other particulars, of the affairs of the club ;

8. The regulating the issue of the club's shares of stock, and the fixing of the qualifications of persons who shall be competent to hold the same, the manner in which the same shall be held, the formalities requisite to a valid transfer thereof, and the persons to whom it may be transferred ;

9. The regulating the terms upon which persons not being shareholders, may be admitted as members of the club, and the amount of entrance fees and annual dues payable by such members ;

10. The regulating of the admission and expulsion of proprietors and members respectively ; the classification and respective rights and privileges of proprietors and members ; the fees, subscriptions and dues to be imposed, the number, constitution, powers, and duties, of its officers, and of the club committee ;

11. The regulating, generally, of the administration and management of the affairs of the club ;

12. The altering or repealing, from time to time, of all or any of said by-laws, rules and regulations.”



**9.** Article 4657 of the Revised Statutes is replaced for the club by the following : R.S.Q., 4657 replaced for club.

**" 4657.** The affairs of the club shall be managed by a board of seven directors, who shall be elected by the proprietors, at the annual meeting of the club, and who shall be styled the club committee, the number of the directors and their term of office being subject to change by the proprietors." Club committee.

**10.** No transfer of any share or shares of stock shall be valid unless and until the same shall have been authorized by a resolution of the club committee. Transfer of shares.

**11.** The club committee shall have full power in all respects to manage and administer the affairs of the club, and shall have such further and other powers as may be conferred or authorized by the by-laws, rules and regulations of the club. Powers of club committee.

**12.** No proprietor or member of the club shall be personally liable for any of the debts or obligations thereof. Proprietors, &c., not liable for debts.

**13.** The persons named in section 1 of this act shall be the committee, provisionally, of the club, and shall have and exercise all the powers hereby conferred on the club, until the first meeting of the proprietors, which shall be held not later than six months from the coming into force of this act. Provisional committee.

**14.** Sub-section 3 of section 46 of the act 63 Victoria chapter 12, shall not apply to the club hereby incorporated, but the said club shall be treated as coming under sub-section 2 of the said section 46. 63 V., c. 46, s. 3, not to apply, &c.

**15.** The third paragraph of article 4655 of the Revised Statutes, as amended by the act 2 Edward VII, chapter 30, section 1, is replaced for the club by the following : R.S.Q., 4655, par. 3, replaced for club.

"The club, upon a resolution adopted by at least two-thirds of the proprietors at a special general meeting convened for the purpose, pursuant to the by-laws of the club, may issue bonds or debentures to such amounts and payable at such dates and bearing such rate of interest and containing such terms and conditions as the resolutions may determine, and may pledge or sell such bonds and debentures for such sums and at such times as may be deemed to be expedient ; and to secure the payment of such bonds or debentures, the club may, by its duly authorized officers, grant to one or more trustees a hypothec upon the immoveable property of the club, mentioning the issue and amount and the dates of payment of such bonds or debentures, the rate of interest payable thereon, and the terms and conditions upon which the same Issue of bonds, &c. Hypothec to secure bonds, &c.

are issued ; and upon the registration of such hypothec in the office of the registration division in which the immoveable property covered by the said hypothec is situate, the said bonds or debentures shall constitute a privileged claim in favour of the holders thereof against the club, and give a right of preference thereto over all debts and claims against the club posterior to the issuing of such bonds or debentures, and such hypothec shall, when duly registered as aforesaid, be a valid security in favour of the holders of such bonds or debentures whether issued before or after the execution of such hypothec, notwithstanding article 2017 of the Civil Code."

Valuation of  
lands of club.

**16.** The lands possessed by the club, for the purposes thereof, shall, so long as the municipality within which they are situated is not created a town corporation, be valued in the valuation roll according to their value for agricultural purposes.

R.S.Q., 4656  
and 4680 not  
to apply, &c.

**17.** Articles 4656 and 4680 of the Revised Statutes shall not apply to the said club, and the said Statutes shall in other respects only apply to the club hereby incorporated where their provisions are not inconsistent with the provisions of this act.

Coming into  
force.

**18.** This act shall come into force on the day of its sanction.

## C H A P . 158

### An Act to incorporate The Riverside Athletic and Sporting Club

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS Raphael Ouimet, journalist ; Paul Pelletier, merchant ; Albert Laberge, journalist ; F. X. de Grand-pré, merchant, and E. A. Murphy, commerical traveller, all of Montreal, have, by their petition, prayed to be incorporated under the name of "The Riverside Athletic and Sporting Club," and for certain powers hereinafter mentioned, and whereas it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Persons in-  
corporated.  
Name.

**1.** The persons aforesaid and all those who may hereafter join them are incorporated under the name of "The Riverside Athletic and Sporting Club."

**2.** The capital stock of the corporation shall be twenty thousand dollars, divided into eight hundred shares of twenty-five dollars each. Capital stock.

**3.** The object of the association is to encourage the development of physical strength and arts amongst the inhabitants of this Province, and especially among youths. Objects.

**4.** The association is authorized, for the purpose for which it is incorporated, to erect a hall, and acquire the immoveables it may deem necessary, the whole to an amount not exceeding two hundred and fifty thousand dollars. Powers.

**5.** In its rooms the association may give literary and musical entertainments, exhibitions of wrestling, billiard matches, fencing matches and generally all sporting and athletic exercises. Literary, &c., entertainments.

**6.** It shall have the right to charge entrance fees to the various entertainments it may organize and give, which fees shall be determined by the by-laws which the corporation may make, from time to time. Entrance fees, &c.

**7** The corporation may sell and hypothecate it immoveables whenever it may deem expedient and acquire others in lieu thereof. Sale, &c., of immoveables, &c.

**8.** The affairs of the corporation shall be administered by a board of directors consisting of a president, a vice-president, a secretary-treasurer and two members elected annually according to the rules and by-laws of the corporation at the general meeting held on the date fixed by such rules and regulations, and they together shall constitute a board of directors and remain in office until the following annual election. All vacancies occurring in the board of directors by death or otherwise, shall be filled by the said board of directors according to the rules and by-laws of the corporation. Directors.

**9.** Messrs. Raphael Ouimet, Paul Pelletier, Albert Laberge, F. X. de Grandpré and E. A. Murphy, shall constitute the board of directors, until others are elected in their stead, under the provisions of this act. Members of first board.

**10.** The corporate seat of the corporation shall be in the city of Montreal. Corporate seat.

**11.** The corporation shall send to the Lieutenant-Governor in Council, when required so to do by the Provincial Treasurer, a statement of its affairs, to be transmitted to the Council. Statement to be transmitted.

ted to Lieu-  
tenant-Gov-  
ernor in  
Council.

urer, a detailed statement of its moveable and immoveable property, the names of its officers, and a certified copy of its rules and regulations.

Coming into  
force.

**12.** This act shall come into force on the day of its sanction.

## CHAP. 159

An Act to amend the act to incorporate the Aquarium

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS, the Aquarium of Montreal, has, by its petition, represented that it is necessary in the interest of the said company, to amend its charter, the act 7 Edward VII, chapter 96 ;

And whereas it is expedient to grant the prayer of such petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

7 Ed. VII, c.  
96, s. 12, re-  
pealed.

**1.** Section 12 of the act 7 Edward VII, chapter 96 is repealed.

Coming into  
force.

**2.** This act shall come into force on the day of its sanction.

## CHAP. 160

[Assented to 25th April, 1908]

An Act to validate the sale by the heirs of L. T. MacPherson to Israel Montreuil, Joseph Simard and Joseph Napoléon Beaumont.

Preamble.

**W**HEREAS Israël Montreuil, Joseph Simard and Joseph Napoléon Beaumont, all of the city of Quebec, merchants, carrying on business in partnership together under the style and firm of "The Dominion Fish and Fruit Company," have by their petition represented :

That an authentic deed of sale was passed at Quebec, on the second day of March, 1907, before Mtre Cyrille Alfred Lafrance, notary, at Quebec, under the number two thousand six hundred and eighty of his minutes, by which deed Dame Ellen MacPherson, wife of George Henshaw Holt, gentleman,

of Lachine, near Montreal ; Dame Ellen Georgiana Burnham Holt, wife of St. George Knight, accountant of Lachine ; Dame Margaret Cecilia Holt, wife of Walter John Stethem, merchant, of the city of Montreal, all duly authorized by their said respective husbands and Miss Mabel F. Hervey, of the parish of Portneuf, spinster of lawful age and *sui juris*, have sold to the said Israel Montreuil, Joseph Simard and Joseph-Napoléon Beaumont, for the price of forty thousand dollars, on account of which the sum of five thousand dollars has been paid cash, a lot of land and premises known as being number one of the subdivision of lot number two thousand and ninety-eight (2098-1) of the official cadastral plan and book of reference thereto for St. Peter's ward, of the city of Quebec, as fully described in the said deed of sale and conveyance ;

That the said property forms part of the immovable property of the estate of the late Laughlan Thomas MacPherson, in his lifetime, of the city of Quebec, notary ;

That certain doubts appear to have arisen as to the validity of the said sale, the said doubts resulting from the will of the said late L. T. MacPherson, passed before Mtre E. B. Lindsay and his colleague, notaries at Quebec, on the 15th day of April, 1868 ;

That it appears doubtful, whether the said will contains a substitution or a legacy of usufruct, and whether the prohibition, therein mentioned, to make a partition or sale of the real estate, until certain facts have occurred, should apply to the said sale ;

That the said vendors mentioned in the said deed of sale, were and appear to be the only parties interested under the said will, whether it contains a substitution or not, and that the youngest has attained the age of twenty-five years.

That it has been deemed advantageous and in the interest of all concerned, to sell the immovable property above mentioned ;

Whereas the said vendors have prayed that an act be passed to remove all doubts relating to the validity of the said sale and it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The authentic deed of sale, passed before Mtre Cyrille Alfred Lafrance, notary, at Quebec, on the second day of March 1907, under the number two thousand six hundred and eighty of his minutes, between the heirs L. T. MacPherson and Israël Montreuil, Joseph Simard and Joseph-Napoléon Beaumont, is hereby ratified and declared valid to all intents and purposes.

Certain deed of March 2nd 1907, ratified, &c.

2. As provided for in the said deed of sale the purchasers Payment and

administra-  
tion of pur-  
chase price,  
&c.

shall pay the sum of thirty-five thousand dollars (\$35,000) balance of the purchase price, to the Royal Trust Company, of Montreal, to be administered and disposed of in conformity with the will of the said late Laughlan Thomas Macpherson, and such payment shall free the purchasers from all further liability and give them a full and complete discharge, and Mr. W. J. Stethem shall hand over unto the said Royal Trust, the balance of the sum of five thousand dollars received by him on behalf of the vendors, after deduction of expenses and disbursement made in connection with the said sale.

The said Royal Trust is authorized to receive a sum of not less than fifteen thousand dollars (\$15,000) as part payment, with the consent of all the vendors, granting further delay to the purchasers for the payment of the balance of twenty thousand dollars, preserving their mortgage and privilege of *baillleurs de fonds* for said balance.

Coming into  
force.

3. This act shall come into force on the day of its sanction.

## CHAP. 161

An Act to ratify and confirm the deed of sale passed on the 8th May, 1905, between Alexandre Lapalme and the Sun Life Assurance Company and the promise of sale consented to on the 12th May, 1905, by the Sun Life Assurance Company to Edouard Warren *et al.*

[Assented to 25th April, 1908]

Preamble.

**W**HEREAS Edouard Warren, merchant ; Charles Warren, contractor, both of the village of Malbaie, in the county of Charlevoix, and James Warren, physician, of the city and district of Montreal, have, by petition, prayed for an act to validate and confirm the sale, conveyance and transfer by Alexandre Lapalme to the Sun Life Assurance Company of Canada on the 8th May, 1905, by deed before Mr. R. H. Barron, notary, the rights, titles, claims and moveable and immoveable property in connection with the operation of a system of waterworks and sewerage under a deed of sale in his favour by the Fraserville Waterworks Company, on the 14th May, 1902, before Mr. Polydore Langlais, notary, with the understanding that he should not mortgage or alienate the same without the consent of the said company and also to regularize the promise of sale of the said rights to them made by the Sun Life Assurance Company of Canada, under the clauses and conditions set forth in the deed passed between them on the 12th May, 1905, before R. H. Barron, notary ;

Whereas the said Edouard Warren, Charles Warren and James Warren have also by their petition, prayed that they be permitted to sell, convey and transfer, notwithstanding the restrictive clause above mentioned, the rights they might acquire under the deed to be passed in accordance with their promise of sale ;

Whereas they have represented that the said Fraserville Water-works Company is dissolved, that its directors are scattered and that it no longer has any legal existence ;

Whereas it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The deed of sale, conveyance and transfer above mentioned by Alexander Lapalme to the Sun Life Assurance Company of Canada, is regularized, declared good and valid and to have conveyed the full and entire ownership without reserve of the rights therein set forth, notwithstanding the said restrictive clause contained therein ; and the said Edouard Warren, Charles Warren and James Warren are declared to have and hold, notwithstanding such clause, all the rights conferred on them by their promise of sale, above mentioned, and they are authorized, notwithstanding the said clause, to sell, convey and transfer without reserve, all such rights, claims, titles and moveable and immoveable property. Certain deed of sale ratified.

2. This act shall not affect the right of Edward Joseph Duggan, Seigneur of Murray Bay, under an agreement between him and the Fraserville Water-Works Company signed on the first of October, 1900, and registered the third October, 1900, in the registry office of the first registration division of the county of Charlevoix. Certain rights not affected.

3. This act shall come into force on the day of its sanction. Coming into force.

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## C H A P . 162

An Act to validate the sale by the estate of Sir Georges Etienne Cartier to Messrs Browne and Perley, dated the 5th May, 1874

[Assented to 25th April, 1908]

## Preamble.

**W**HEREAS George Hogg, farmer: William Laidlaw Hogg, grain dealer, residing in the town of Longue Pointe and William Henry Trenholme, formerly a farmer, now residing in the town of Westmount, district of Montreal, in their capacity of testamentary executors and fiduciary legatees of the late William Kerr, in his lifetime farmer of the said town of Longue Pointe, have by their petition represented :

That by his will made before the late Mr. Theo. Doucet and his colleague, notaries, at Montreal, on the sixth November, 1866, the late Honourable Sir Georges Etienne Cartier, in his lifetime of the city of Montreal, Minister of Militia and Defence of the Dominion of Canada, after giving certain special legacies, bequeathed in trust to his fiduciary legatees and testamentary executors named in his said will the remainder and residue of his moveable and immoveable property and created a substitution to which he was appointed curator as required by-law ;

That among the properties forming part of the legacy in trust bequeathed by the said late Sir Georges Etienne Cartier, under the terms of his said will, was a lot of land called *La Ferme Limoilou*, known and designated under the number thirty-four (No. 34) on the official plan and book of reference of the parish of Longue Pointe ;

That the late Sir Georges Etienne Cartier, at his death, left a comparatively large amount of debts, amongst which was the sum of four thousand dollars due by him with a hypothec on the said lot as the balance due the first mortgagee or *bailleur de fonds*, one Robert Turcotte ;

That the said late Sir Georges Etienne Cartier has not left sufficient money and available assets in his estate to provide for the payment of all his debts, and that his fiduciary legatees and testamentary executors provided therefor by selling certain property of the estate, consisting of household furniture and moveable effects, of bank shares and further by selling the said lot of land as hereinafter mentioned ;

That, by judicial authorization, the said testamentary executors and fiduciary legatees and the curator to the substitution created by the said will, sold the said lot of land to Messrs Browne and Perley by deed of sale before J. L. Coutlée, notary, dated the 5th May, 1874, for the sum of twenty thousand dol-



lars, a portion whereof was paid in cash and the balance was payable at stated terms ;

That the price of sale of the said lot of land has been fully paid, and, with the proceeds of the sale of other properties and securities of the said estate, was employed in paying the debts left by the said testator ;

That the said lot of land is now held partly by the estate of the said William Kerr and partly by William Hall ;

That in view of the terms of the will of the said late Sir Georges Etienne Cartier, certain doubts have been raised by purchasers of a portion of the said lot as to the powers of the fiduciary legatees and testamentary executors of the said late Sir Georges Etienne Cartier to sell the said lot, although such sale was judicially authorized as mentioned in the said deed of sale and was made for the purpose of paying the testator's debts ;

And whereas the petitioners have prayed that an act be passed to ratify the deed of sale by the estate of the said late Sir Georges Etienne Cartier to Messrs Browne and Perley and that it is expedient to grant their prayer ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts, as follow :

1. It is by the present act declared that the testamentary executors and fiduciary legatees of the late Sir Georges Etienne Cartier acted within their powers in selling the said lot of land, after having been authorized by the court, and gave a valid title to the purchasers of the said lot, and the said sale is declared good and valid and the said deed of sale is ratified.

Certain deed  
of sale rati-  
fied, &c.

2. This act shall come into force on the day of its sanction.

Coming into  
force.

## CHAP. 163

An Act to ratify and confirm the sale by Miss Jessie Atkinson and others to P. G. Bussi res & Co., dated on the twenty-fourth of January, 1907

[Assented to 25th April, 1908]

**W**HEREAS, Amable Napol on Drolet and Jean Fran ois Sim on Dugal, both of the city of Quebec, flour, grain and provision merchants, and carrying on business as such in partnership, under the name and firm of P. G. Bussi res & Company, have, by their petition, represented :

Preamble.

That Henry Atkinson, in his lifetime of the city of Quebec, merchant, died at Paris, in France, on the fifteenth of May, eighteen hundred and sixty-five, leaving amongst other property of his estate, the immoveable described in the deed of sale hereinafter reproduced ;

That by his authentic will, made at Quebec, on the eleventh of October, eighteen hundred and fifty-four, before Campbell and colleague, notaries public, he appointed, as his universal legatees, his three sisters, Harriet Atkinson, Caroline Atkinson, and Ann Atkinson, and the children of another sister then deceased, Maria Faulkner ;

That by an authentic codicil before Campbell and colleague notaries, at Quebec, on the tenth of August, eighteen hundred and fifty-eight, he excluded from the said legacy his said sister Ann Atkinson ,

That he had appointed his testamentary executor, his brother William Atkinson, and after the death of the latter, which occurred on the seventh of April, eighteen hundred and sixty-six, a family arrangement was made between the legatees of the said Henry Atkinson, in virtue whereof the entire immoveable property described in the said deed hereinafter recited was given to the said Dames Caroline Atkinson and Harriet Atkinson, other property being given to the said children of Maria Faulkner ;

That the said Dames Caroline Atkinson and Harriet Atkinson and their assigns have been in peaceful possession thereof to the exclusion of all others and constantly since then as owners ;

That the said Dame Harriet Atkinson, died on the third of August, eighteen hundred and seventy-one, and by her will made under the laws of England, at Eastbourne, in the county of Sussex, in England, on the eighteenth of February, eighteen hundred and seventy, and duly probated by the prothonotary, at Quebec, on the twenty-seventh of March, eighteen hundred and seventy-two, she bequeathed her property in usufruct to her said sister Dame Caroline Atkinson, with power to alienate, and the ownership thereof for one eighth to Henry Atkinson, of the parish of St. Romuald d'Etchemin, lumber merchant; for another eighth to Donald Cameron Thomson, of the city of Quebec; for one quarter to Ann Thomson, wife of the said D. C. Thomson; for one quarter to Jessie Atkinson, and for one quarter to Harriet Lemoine, wife of J. Lemoine, of the city of Quebec ;

That the said Dame Caroline Atkinson, on the fifth of June, eighteen hundred and seventy-five, sold to the city of Quebec, a strip of the said immoveable bordering on Dalhousie street, for the widening of the said street.

That the said Dame Caroline Atkinson, died on the thirty-

first of January, eighteen hundred and seventy-eight, and by her will, made according to the laws of England, at Eastbourne, in the county of Sussex, in England on the twenty-seventh of May, eighteen hundred and seventy-three, and duly probated by the prothonotary at Quebec, on the twenty-ninth of November, eighteen hundred and seventy-eight, she bequeathed all her property to Henry Atkinson, of the parish of Saint Romuald d'Etchemin, lumber merchant; to Ann Thomson, wife of the said D. C. Thomson; to Harriet Lemoine, wife of the said J. Lemoine and to Jessie Atkinson, each for one-fourth;

That the said Dame Harriet Lemoine, wife of the said J. Lemoine, died at Quebec, on the eleventh of April, nineteen hundred, and by her authentic will, made before Strang and colleague, notaries, at Quebec, on the eleventh of April, eighteen hundred and ninety-nine, she bequeathed the usufruct of all her property to her said husband and the ownership to her two daughters, Jeannette Julia Lemoine, of the city of Quebec and Sophia Annie Lemoine, wife of Frank Bell Forsyth Rhodes, each for one-half;

That Sir James Lemoine, both personally and in his capacity of attorney to his said daughter Sophia Annie Lemoine, wife of the said F. B. F. Rhodes, under authentic power of attorney, before W. Bignell, notary, at Quebec, on the twenty-second of February, eighteen hundred and eighty-three, and the said Miss Jeannette Julia Lemoine, by deed of sale before W. R. Larue, notary, at Quebec, on the ninth of June, nineteen hundred, did sell to the said D. C. Thomson and to the said Miss Jessie Atkinson, all their rights in and to the said immoveable described in the deed of sale before Alexandre Gauvreau notary hereinafter mentioned;

That by deed of sale by the said Henry Atkinson, of the parish of Saint Romuald d'Etchemin, lumber merchant, before W. V. Larue, notary at Quebec, on the twenty-seventh of May eighteen hundred and ninety, he sold all his rights in and to the said immoveable to the said Miss Jessie Atkinson;

That by deed of sale before Alexandre Gauvreau, notary, at Quebec, on the twenty-fourth of January, nineteen hundred and seven, the said Miss Jessie Atkinson and the said Donald Cameron Thomson, both for himself and in his capacity of sole surviving testamentary executor of the last will of his wife, the said Dame Annie Atkinson, with full power to sell under her holograph will, dated at Quebec, the thirteenth of May, eighteen hundred and ninety-three and also of her holograph codicil number two, dated at Quebec, the seventeenth of November, nineteen hundred, both duly probated according to law by J. Bélanger, deputy prothonotary of the Superior Court in the Province and district of Quebec, on

the twenty-first of December, nineteen hundred, signed the deed of sale to the petitioners mentioned in the said deed of sale.

That the powers under which the said James Lemoine as attorney of his daughter, the said Dame Sophia Annie Lemoine, wife of the said F. B. F. Rhodes, effected the sale above mentioned to the said Miss Jessie Atkinson and to the said D. C. Thomson, were confirmed by a special deed of Sophia Annie Lemoine Rhodes, duly authorized by her said husband, at Pueblo, in the state of Colorado, on the nineteenth of February, nineteen hundred and seven, authorized as aforesaid, appointing Sir James Lemoine her special attorney for the purpose of ratifying and confirming, in so far as she was concerned, the said deed of sale, and that such ratification and confirmation were effected before Alexandre Gauvreau, notary, at Quebec, on the eighth of March, nineteen hundred and seven by the said Sir James Lemoine acting as aforesaid ;

That the said deeds constitute a very complicated chain of titles, and the petitioners are greatly interested in having a clear title to the immoveable described in the said deed of sale and one that can absolutely be verified in order to effect, in connection with the said immoveable, all transactions loans, total or partial sales, without having to refer to so long and so complicated a chain of titles ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Certain sale  
of 24th Jan-  
uary, 1907,  
ratified, &c.

1. The sale by Miss Jessie Atkinson, spinster of the city of Quebec and Lieutenant-Colonel Donald Cameron Thomson, also of the said city of Quebec, bank director, acting both personally and in his capacity of sole surviving executor of the last will of Dame Annie Atkinson, his wife, made before Alexandre Gauvreau, notary, at Quebec, on the twenty-fourth of January, nineteen hundred and seven to Amable Napoléon Drolet and Jean François Siméon Dugal, both of the city of Quebec, flour, grain and provision merchants, carrying on business together in partnership under the name and firm of P. G. Bussière and Company, is ratified and declared valid to all intents and purposes.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

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## C H A P . 164

## An Act respecting the Male Institution for the Catholic Deaf and Dumb of the Province of Quebec

[Assented to 25th April, 1908]

**W**HEREAS the Male Institution for the Catholic Deaf and Dumb of the Province of Quebec has, by petition, represented :

That by section 5 of the act 5 Edward VII, chapter 102, the recourse of the creditors of the said institution was suspended for the space of three years to enable the said institution to realize its assets in cash and pay its creditors equally ;

That the said delay is about to expire and the said institution has not yet fully realized its assets in cash and paid its creditors ;

That it is important to assure the equitable and equal payment of all the creditors of the said institution ;

That by deed of gift *inter vivos*, passed at Montreal before Mr. O. Marin, notary, on the sixteenth of January, 1883, and registered in the registry office for the counties of Hochelaga and Jacques-Cartier on the twentieth of January, 1883, Marie-Anne Corbeil, widow of the late Louis Robin dit Lapointe gave to Pierre Picotte and to Hermine Richer, his wife, both then of the parish of Saint-Enfant-Jésus and substituted in favor of the children born and to be born of their lawful marriage, amongst other immoveable property, the land hereinafter described ;

1. A lot of land situated in the parish of Saint-Enfant-Jésus and forming part of lot number eighty-seven of the official plan and book of reference for the village of Côte Saint Louis, in the municipality of the parish of Montreal, containing sixty-one feet six inches in front, by forty-eight feet in depth, the whole more or less ; bounded in front by St. Louis street, in rear and on the north-east side by the north-east part of lot number eighty-seven and on the south-west side by the lot above described, with a wooden house faced with brick and other buildings thereon erected ;

2. Another lot of land situated in the same place bearing number seventy-seven on the official cadastral plan and book of reference of the village of Côte Saint Louis, in the former municipality of the parish of Montreal containing forty-eight feet by seventy-eight feet in depth forming the north-east corner of St. Lawrence and St. Louis streets with a stone house and another of wood faced with brick and other buildings thereon erected ;

That the said Pierre Picotte acting in his quality of tutor to his minor children: Louis, Ludger, Cyrille and Marie-Louise

Picotte, after having been authorized to sell the shares of the said minors in the immoveables hereinabove described by the prothonotary of the Superior Court of the district of Montreal on the first of December, 1891, notice of the sale being given on three consecutive Sundays at the door of the parish church, of the parish in which the said immoveables are situated, had the said immoveables sold by public auction on the twenty-first December, 1891; and at such public sale, the said immoveables were adjudged to the Male Institution for the Catholic Deaf and Dumb of the Province of Quebec, the highest and last bidder;

That a deed of sale of the said lots was consented in favor of the said Male Institution for the Catholic Deaf and Dumb of the Province of Quebec by the said Pierre Picotte in his capacity of tutor aforesaid and by his children then of the full age of majority, namely: Herminie Picotte, Louis Picotte, Pierre Aldéric Picotte and Zénon Picotte, by deed passed before Louis Bédard, notary, on the thirtieth of December, 1891, and registered in the registry office for the counties of Hochelaga and Jacques-Cartier on the twenty-eighth of January, 1892;

That the said Male Institution for the Catholic Deaf and Dumb of the Province of Quebec prays for an extension of the said delay and for the confirmation and ratification of the said deed of sale;

Whereas by deed passed at Montreal, on 28th November, 1891, before L. Bedard notary, and registered, the said Pierre Picotte renounced by anticipation (the said Dame Herminie Richer having died) to his rights as institute under the said donation to among others the said immoveable property in favor of the children issue of his marriage with the said Dame Herminie Richer thereby causing anticipated opening of the substitution; and whereas it is expedient to grant the said prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

37 V., c. 39, s. 9, amended. **1.** The delay of three years mentioned in section nine of the act 37 Victoria, chapter 39, as amended by section 5 of the act 5 Edward VII, chapter 102, is extended for three years counting from the expiration of the said delay.

Certain deed of sale of Dec. 30th, 1891, ratified, &c.

**2.** The deed of sale of the lots described in the preamble of this act, consented by Pierre Picotte in his capacity of tutor to his minor children, Herminie Picotte, Louis Picotte, Pierre Aldéric Picotte, Zénon Picotte, in favor of the Male Institution for the Catholic Deaf and Dumb of the Province of Quebec, before Louis Bédard, notary, on the thirtieth of December,

1891, and registered in the registry office of the counties of Hochelaga and Jacques-Cartier on the twenty-eighth of January 1892, is hereby confirmed, ratified and declared valid and legal, notwithstanding the said substitution.

3. This act shall come into force on the day of its sanction. Coming into force.

## C H A P . 165

An Act respecting the Wabasso Cotton Company, Limited

[Assented to 14th April, 1908]

**W**HEREAS, The Wabasso Cotton Company, Limited, has, Preamble.

by its petition prayed for the passing of an act to confirm and ratify the by-law passed by the corporation of the city of Three Rivers, on the 15th day of April, 1907, and the approval thereof by the municipal electors on the 29th day of April, 1907, which said by-law is intituled: Chapter 153, by-law to authorize the council of the city of Three Rivers to vote, give and grant to Messrs Charles R. Whitehead, Leslie G. Craig and James M. Greenshields, or to their representatives, for the establishment of a cotton factory in this city, an aid or bonus to the amount of seventy-five thousand dollars and to issue bonds to that end, also to fix at the sum of one thousand five hundred dollars a year the amount of taxes on the said factory during the space of ten consecutive years.

Whereas the said company, has by its petition, represented that doubts have arisen regarding the validity of the afore-said by-law and its ratification, and more particularly the power of the said corporation to issue the bonds as therein provided, and

Whereas it is expedient to remove the same :

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The by-law passed by the corporation of the city of Three Rivers, on the 15th day of April, 1907, and the ratification thereof at a public meeting on the 29th day of April, 1907, at the city hall, in the city of Three Rivers, and all the powers, rights and privileges therein and thereby granted to the said The Wabasso Cotton Company, Limited, are hereby ratified, confirmed and declared legal and valid. Certain by-laws, &c., ratified.

2. This act shall come into force on the day of its sanction. Coming into force.

## C H A P . 166

An Act to make provision for the partition of the Estate of the late John Redpath.

*[Assented to 14th April, 1908]*

## Preamble.

**W**HEREAS Francis Robert Redpath, manufacturer ; Dame Augusta Eleanor Redpath, wife of Charles James Fleet, advocate and King's Counsel ; Dame Emily Jane Bonar Redpath, wife of Henry Taylor Bovey, Dean of the Faculty of Applied Science of McGill University ; Harold Mills Redpath, gentleman ; Dame Amy Redpath, wife of Thomas G. Roddick, Dean of the Faculty of Medicine of McGill University ; the Honorable Sir George Alexander Drummond, Knight of the Order of St. Michael and St. George, universal legatee in trust of the late Dame Helen Redpath ; Huntly Redpath Drummond, merchant ; Arthur Lennox Drummond, gentleman ; John Redpath Dougall, newspaper publisher and proprietor ; Miss Susan Grace Dougall ; Miss Elizabeth Margaret Cochrane ; Miss Edith Mary Cochrane ; Miss Grace Winnifred Cochrane ; all of the city of Montreal ; Dame Gertrude St. Francis Taylor, wife of Emile Theodore Lambert of the town of Westmount, professor ; Dame Margaret Beatrice Taylor, wife of Arthur Wells Robinson of the town of Westmount, civil engineer ; Henry Warren Jones of London, England, solicitor, the said Charles James Fleet and the said Harold Mills Redpath in their quality of executors and trustees under the will of the late Dame Grace Wood, widow of the late Peter Redpath ; Dame Annie Jean Savage of St. Leonards-on-Sea, England, widow of the late Reverend George Drummond Redpath in his lifetime of Harbledown in England, and Robert Whitelaw of Rugby, in England, gentleman, in their quality of executors and trustees under the will of the late Reverend George Drummond Redpath ; Miss Alice Maud Redpath ; Miss Alice Ethel Redpath, both of Eastbourne in the County of Sussex, in England ; Miss Lucy Mabel Redpath, and Miss Helen Redpath, both of St. Leonards-on-Sea aforesaid ; Edward Thornton Taylor of Kingston in the Province of Ontario, Colonel Commanding the Royal Military School, and George Hyde of the city of Montreal, accountant, in their quality of executors of the will of the late Dame Mary Redpath in her lifetime of the city of Montreal, widow of the late Thomas M. Taylor ; the said Edward Thornton Taylor, personally ; Archibald Dunbar Taylor, of Vancouver in the Province of British Columbia, barrister ; Miss Helen Ida Taylor, of Vancouver aforesaid ; the said John Redpath Dougall and Robert Russell Simpson, of Edinburgh in Scotland,



writer to the Signet, in their quality of executors and trustees under the will of the late Miss Jane Margaret Redpath in her lifetime of Edinburgh aforesaid ; James Dennistoun Mitchell of Carwood, Biggar, Scotland, gentleman, and Robert Maxwell Dennistoun, of Winnipeg, in Manitoba, barrister, in their quality of executors and trustees under the will of the late Dame Margaret Pringle Redpath in her lifetime of Edinburgh in Scotland, widow of the late Alexander Dennistoun ; James Duncan Dougall, of Flushing in the State of New York, publisher ; Frederick Eugene Dougall, of the city of Montreal, journalist ; Miss Janet Alice Dougall of Flushing aforesaid ; and Miss Lilly Dougall, of Exmouth, in the county of Devon in England, all personally, and the three last named also in their quality of executors of the last will of the late Miss Janet Elizabeth Dougall in her lifetime of Montreal aforesaid ; Miss Grace Burton Wood, and Miss Agnes Mary Wood, both of the Manor House, Chislehurst, county of Kent, in England ; Dame Margaret Ellen Roux wife of Theophile Roux, of Paris in France, minister, and Miss Mary Bacon Brailsford of Bowden, in the county of Chester, in England ; Hugh Cochrane, of Hampstead in England, journalist ; Dame Alice Jane Taylor, wife of Alfred Walton Brailsford, of Bradford in England, accountant, and the said Alfred Walton Brailsford ; John Reginald Redpath, of Pincher Creek, in the Province of Alberta, ranchman ; and Donald Cochrane, of Mission, in the Province of British Columbia, student ; have by their petitions represented :—

1. That they are beneficiaries under the will of the late John Redpath, in his lifetime of the city of Montreal ;

2. That the said late John Redpath died at Montreal in the year 1869 leaving his last will and codicil which were proved in the Superior Court, district of Montreal, on the sixteenth day of April, 1869, whereby he directed that the residue of his estate should be divided equally share and share alike among all his children or their issue, the whole as provided in the will, and further directed that no division of his estate should take place during the lifetime of his wife ;

3. That the said John Redpath, appointed executors of his will with full powers of administration and sale, and continued their powers until the death of his said wife ;

4. That Dame Jane Drummond, widow of the testator, died on the thirtieth day of January, 1907, and the powers of the executors of the said will thereupon immediately ceased and the estate of the said John Redpath thereupon immediately vested in his said residuary legatees as undivided owners thereof ;

5. That the said John Redpath, left twelve children him surviving, none having predeceased him leaving issue ;

6. That nine of the said children predeceased the said Dame Jane Drummond, and their shares in the said estate are now vested in their legal representatives;

7. That the persons interested in the said estate as residuary legatees are very numerous and a great number are resident in England and elsewhere outside of the Province of Quebec;

8. That the said estate comprises a large quantity of real estate, bonds, stocks and other registered securities;

9. That on the death of the said Jane Drummond it became imperatively necessary in the interests of all concerned to make provision for the administration, sale and partition of the property of the said estate;

10. That by deed executed at Montreal the fifth day of October, 1907, before W. de M. Marler, notary public, under No. 27,901, the beneficiaries under the said will with the exception of those hereinafter referred to, transferred all the assets of the said estate to Francis Robert Redpath, Huntly Redpath Drummond, and George Hyde, all of the city of Montreal, and by deed of the same date before the same notary under No. 27902, between the said parties, the trusts upon which the said property was to be held were declared, the objects of the said deeds being to provide for a partition of the said estate in an equitable and speedy manner between the twelve branches by dividing it into shares one for each of the twelve children of the said late John Redpath, and by attributing these shares to the beneficiaries by lot;

11. That the transferors in the said deeds comprise all the surviving children of the said John Redpath, and all the known legal representatives of all the children who predeceased the said Dame Jane Drummond with the exception of:

(a) Margaret Antonia Cochrane, one of the seven children of Dame Margaret Jane Dougall, a grandchild of the said John Redpath, whose interest is an undivided one forty-second part of one-twelfth, to wit an undivided one five hundred and fourth part in the real property;

(b) Arthur Cochrane, another child of the said Dame Margaret Jane Dougall, who transferred all his interest in his mother's estate to his sister Edith Mary Cochrane by agreement under his hand bearing the date the 24th January, 1907, and deposited with W. de M. Marler, notary, at Montreal on the fifth day of October, 1907;

(c) Anthony McKean Cochrane, the husband of the said Dame Margaret Jane Dougall, who succeeded to the personal estate of his said wife by reason of her dying intestate while domiciled in the State of New Jersey, and ratified the said deeds by act before W. de M. Marler, N. P., executed the fiftieth day of January 1908;

(d.) The executors and trustees of the will of the late Dame Grace Wood, widow of the late Peter Redpath, one of the children of the said John Redpath, proved in the High Court of Justice in England, on the eighth day of April, 1907, copy whereof was deposited on the 15th day of July, 1907, with Henry Fry, notary public, at Montreal.

12. That the said Dame Grace Wood was the widow and sole residuary legatee of the late Peter Redpath, one of the children of the said John Redpath, under his will proved in the High Court of Justice, in England on the 18th April, 1894;

13. That the tutor to the property of the said Margaret Antonia Cochrane has approved of the said transfer.

14. That the executors and trustees of the will of the said late Dame Grace Wood are unable to become parties to the said deed because they have been advised that so to do would be in excess of their powers under the laws of England by which they are governed, but all the residuary legatees are parties thereto with the exception of the trustees of that portion bequeathed to Dame Margaret Ellen Roux, and of that portion bequeathed to Gertrude St. Francis Taylor, wife of Emile Theodore Lambert, the said trustees being the trustees of the said will;

15. That the said Margaret Ellen Roux who has a life interest and power to withdraw from the trust, and the said Gertrude St. Francis Lambert who has also a life interest, are parties to the said deeds;

16. That the interests held in trust for the said Margaret Roux and Gertrude St. Francis Lambert represent each one undivided one-twentieth of one-twelfth, to wit an undivided one two hundred and fortieth part in the estate of the said late John Redpath;

17 That to effect a partition of the said estate in the usual way would cause great expense, delay and serious loss more especially in that the owners of small interests would be unable to protect themselves in case a forced sale should be necessary;

18. That it is in the interest of all parties concerned that provision should be made for a speedy and inexpensive partition of the said estate between the twelve children of the said late John Redpath or their legal representatives, and for the granting to purchasers of a good title to the property comprised therein, and that the said deeds should be ratified and confirmed;

Whereas the petitioners have established the allegations of their petition, and it is expedient to grant their prayer :  
Therefore, His Majesty, with the advice and consent of

the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

- 1.** The said two deeds executed on the fifth day of October, 1907, at Montreal, before W. de M. Marler, N. P., are hereby ratified and confirmed, and declared binding on all persons having or claiming under or by reason of the said will of the said late John Redpath, any interest in or to any of the property thereby transferred.
- 2.** All sales or transfers heretofore made or which may hereafter be made by the said Francis Robert Redpath, Huntly Redpath Drummond, and George Hyde, or their successors in the trust, whether to parties to said trust deed of date the fifth day of October, 1907, or to other persons, shall convey a good and valid title to the property purporting to be sold or transferred free from any claim of any person claiming under or by reason of the said will; and all partitions made and other acts done or performed by the said trustees in accordance with the powers conferred on them by said deeds or which may be accepted or ratified by the other parties to the said deeds, shall be binding on all persons claiming as aforesaid.
- 3.** Nothing in this act shall be taken to deprive any person of any interest he may have in the said estate of the said late John Redpath, but the recourse of any such person shall be limited to recovering from his co-heirs or their successors by general title, such property or moneys as any of them may have wrongfully received.
- 4.** This act shall come into force on the day of its sanction.

#### SCHEDULE A

BEFORE M<sup>RE</sup> WILLIAM DE M. MARLER, the undersigned  
Notary for the Province of Quebec, practising at the City  
of Montreal,

APPEARED :

1. FRANCIS ROBERT REDPATH, of the City of Montreal, esquire.
2. DAME AUGUSTA ELEANOR REDPATH, wife separate as to property by their marriage contract of CHARLES J. FLEET, of the City of Montreal, advocate and King's Counsel, duly authorized by her said husband for the purposes hereof ;

3. DAME EMILY JANE BONAR REDPATH, wife separate as to property by their marriage contract of HENRY T. BOVEY, of the city of Montreal, Dean of the Faculty of Applied Science of McGill University, duly authorized by her said husband for the purposes hereof ;
4. HAROLD MILLS REDPATH, of the City of Montreal, esquire.
5. DAME AMY REDPATH, wife separate as to property by their marriage contract of THOMAS GEORGE RODDICK, of the city of Montreal, Dean of the Faculty of Medicine of McGill University, duly authorized by her said husband for the purposes hereof ;
6. JOHN REGINALD REDPATH, of Pincher Creek, ranchman.  
Herein acting by the said Charles James Fleet and John Redpath Dougall, newspaper publisher and proprietor, and Preble Macintosh, chartered accountant, both of the City of Montreal, his special attorneys under a power of attorney executed before witnesses at Pincher Creek on the twenty-second of July last (1907), authenticated by the certificate of Donald Thomson, a notary public for the Province of Alberta, and deposited in the office of the undersigned notary on the date hereof.
7. The said HAROLD MILLS REDPATH and CHARLES JAMES FLEET, who, with HENRY WARREN JONES, of No. 39 Lime Street, London, are the trustees appointed under the last will and testament and codicils thereto of the late Grace Wood, in her lifetime of Chislehurst, in the county of Kent, in England, widow and universal legatee of the late Peter Redpath, in his lifetime of the same place, and a majority of the trustees, and act herein with the approval (as testified by their signatures hereto) of her residuary legatees, viz :
  - a. The said HAROLD MILLS REDPATH ;
  - b. The said Dame AMY REDPATH *et vir*;
  - c. The said JOHN REGINALD REDPATH;
  - d. Miss GRACE BURTON WOOD and Miss AGNES MARY WOOD, both spinsters of the full age of twenty-one years of the Manor House, Chislehurst, aforesaid.  
Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by them at Barnard Castle, County of Durham, in England, before witnesses, and authenticated by the affidavit of one of the witnesses

before the Mayor of Darlington and deposited in the office of the undersigned Notary on the date hereof.

- e. Dame MARGARET ELLEN ROUX, wife of THEOPHILE ROUX, of Paris, in France, minister, and Miss MARY BACON BRAILSFORD, of Oakfield Cottage, Bowdon, in the County of Chester, in England.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by the said Margaret Ellen Roux at Bradford, in England, before witnesses, on the thirteenth of August last (1907), authenticated by the affidavit of one of the witnesses before the mayor of Bradford ; and by the said Mary Bacon Brailsford on the fifteenth of August last (1907), before witnesses, and authenticated by the affidavit of one of the witnesses before the Lord Mayor of Liverpool ; which power of attorney and the authorization of the said Theophile Roux were deposited in the office of the undersigned notary on the date hereof.

Dame GERTRUDE ST. FRANCIS TAYLOR, wife of EMILE THEODORE LAMBERT, of the town of Westmount, professor, authorized by her husband for the purposes hereof.

8. The HONOURABLE SIR GEORGE ALEXANDER DRUMMOND, of the City of Montreal, Knight of the Order of St. Michael and St. George, and one of the Senators of the Dominion of Canada, acting herein as universal legatee in trust, of his deceased wife, the late Dame Helen Redpath, under her will received by W. A. Phillips and his colleague, notaries, on the tenth of December, eighteen hundred and seventy-nine, and with the approval (as testified by their signatures hereto) of the only surviving issue of their marriage, namely, Huntly Redpath Drummond and Arthur Lennox Drummond, both of the City of Montreal, Esquires.

9. The said JOHN REDPATH DOUGALL.

10. JAMES D. DOUGALL, of Botanic Place, Flushing, in the State of New York, one of the United States of America :  
Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as his attorneys duly constituted for the purpose hereof under a power of attorney executed before witnesses at New York on the thirteenth day of September last (1907) authenticated by the certificate of Frederick W. Fielding, a notary

public there, and deposited in the office of the undersigned Notary on the date hereof.

11. MISS SUSAN GRACE DOUGALL, of the city of Montreal, unmarried woman of the full age of twenty-one years.
12. MISS LILY DOUGALL, of the East Undercliff, Exmouth, in the county of Devon, in England, spinster, of the full age of twenty-one years :

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, her attorneys duly constituted for the purposes hereof under a power of attorney from her executed at Cambridge, in England, on the sixteenth of August last (1907), before a witness and authenticated as to her signature by the affidavit of the witness before A. E. King, a notary public at Cambridge aforesaid, and deposited with the undersigned notary on the date hereof.

13. MISS ELIZABETH MARGARET COCHRANE, MISS EDITH MARY COCHRANE, and MISS GRACE WINNIFRED COCHRANE, all of the city of Montreal, unmarried women of the full age of twenty-one years ; the said Edith Mary Cochrane also herein acting as the transferee of the rights in the estate of the late John Redpath, in his lifetime of the city of Montreal, Esquire, of her brother Arthur Dougall Cochrane, of Paolo Alto, in the State of California, one of the United States of America, under a transfer executed before a witness on the twenty-fourth day of January last, and deposited with the undersigned notary on the date hereof.

14. FREDERICK EUGENE DOUGALL, of the City of Montreal journalist, Miss JANET ALICE DOUGALL, of Botanic Place, Flushing aforesaid, spinster of the full age of twenty-one years, and the said Lily Dougall, all herein acting in their quality of executors of the last will and testament of the late Miss Janet Elizabeth Dougall, in her lifetime of the city of Montreal, unmarried woman :

The said Janet Alice Dougall acting herein by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, her attorneys duly constituted for the purposes hereof under a power of attorney from her and others, executed at New York before witnesses on the thirteenth day of September last (1907), authenticated by the certificate of Frederick W. Fielding, a notary there, and deposited in the office of the undersigned notary on the date hereof.

And the said Lily Dougall acting herein by the said

Charles James Fleet, John Redpath Dougall and Preble Macintosh, her attorneys duly constituted for the purposes hereof under the power of attorney hereinbefore mentioned.

The said executors of the late Miss Janet Elizabeth Dougall act herein with the approval (as testified by their signatures hereto) of the beneficiaries under her will, namely : the said Elizabeth Margaret Cochrane, Edith Mary Cochrane, Grace Winnifred Cochrane, Lily Dougall, Janet Alice Dougall and Frederick Eugene Dougall.

15. HUGH COCHRANE, of Hampstead, in England, journalist :

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed by him at Hampstead aforesaid, on the twentieth of August last (1907), before a witness, authenticated by the affidavit of the witness before William Oliver, a notary public at London aforesaid, and deposited in the office of the undersigned notary on the date hereof.

16. DONALD COCHRANE, of Mission, in the Province of British Columbia :

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed by him at Vancouver on the twenty-sixth day of September last, before a witness, duly authenticated by the affidavit of the witness before H. G. Ross, a notary public at Vancouver, and deposited in the office of the undersigned notary on the date hereof.

17. EDWARD THORNTON TAYLOR, of Kingston, in Ontario, Colonel Commanding The Royal Military School, and GEORGE HYDE, of the city of Montreal, accountants :

Herein acting in their quality of executors of the will of the late Dame Mary Taylor, in her lifetime of the city of Montreal, widow of the late Thomas M. Taylor : the said Edward Thornton Taylor is one of the executors named in the said will : the said George Hyde was appointed an executor by a judgment rendered in the Superior Court, in the District of Montreal, on the thirty-first of March, eighteen hundred and ninety-eight, in place of Archibald Dunbar Taylor the other executor named in the said will who resigned by deed before the undersigned notary on the twenty-first of March, eighteen hundred and ninety-eight.

The said Edward Thornton Taylor acts herein by the



said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed at Kingston aforesaid, on the fifth of June last (1907) before a witness, and authenticated by the certificate of J. B. Walkem, a notary public for the Province of Ontario, and deposited in the office of the undersigned notary on the date hereof.

The said executors act herein with the approval (as by their signatures hereto) of the residuary legatees of the said late Dame Mary Taylor, namely :

a. ARCHIBALD DUNBAR TAYLOR, barrister-at-law, of Vancouver, in the Province of British Columbia.

b. MISS HELEN IDA TAYLOR, unmarried woman of the full age of twenty-one years of the same place :

Both herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, their attorneys duly constituted for the purposes hereof under a power of attorney executed before witnesses at Vancouver aforesaid on the eighth of June last (1907), and authenticated by the certificate of A. W. V. Innes, a notary public for the Province of British Columbia, and deposited in the office of the undersigned notary on the date hereof.

c. The said EDWARD THORNTON TAYLOR, acting by his attorneys the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, under the power of attorney above mentioned.

d. DAME ALICE JANE TAYLOR, wife of ALFRED WALTON BRAILSFORD, of Bradford, in England, merchant, duly authorized by her said husband and the said Alfred Walton Brailsford in his own name and to authorize his said wife.

Both herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, their duly constituted attorneys under a power of attorney executed at Bradford, in England, before a witness, authenticated by the affidavit of the witness before H. O. Wade, a notary public there, and deposited in the office of the undersigned notary on the date hereof.

e. The said DAME GERTRUDE ST. FRANCIS TAYLOR, authorized by her said husband.

f. DAME MARGARET BEATRICE TAYLOR, wife of ARTHUR WELLS ROBINSON, of the Town of Westmount, civil engineer, duly authorized by her said husband for the purposes hereof, and the said Arthur Wells Robinson to authorize his said wife.

18. The said JOHN REDPATH DOUGALL and ROBERT RUSSELL SIMPSON, of Edinburgh, in Scotland, writer to the Signet: acting herein in their quality of executors of the will and trustees of the estate of the late Miss Jane Margaret Redpath, in her lifetime formerly of the city of Montreal, but at the time of her death of Edinburgh, aforesaid :

The said Robert Russell Simpson acts herein by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed at Edinburgh, in Scotland, on the twenty-fourth of July last (1907), before a witness, and authenticated by the affidavit of the witness before a notary public, at Edinburgh aforesaid, and deposited in the office of the undersigned notary on the date hereof.

The said trustees and executors act herein with the approval (as testified by their signatures hereto) of her residuary legatees, the said Susan Grace Dougall and Lily Dougall, and of the executors and beneficiaries under the will of the late Miss Janet Elizabeth Dougall:

19. JAMES DENNISTOUN MITCHELL, of Calwood, Biggar, Scotland, and ROBERT MAXWELL DENNISTOUN, of Winnipeg, in Manitoba, barrister-at-law, in their quality of executors of the will and trustees of the estate of the late Dame Mary Pringle Redpath, in her lifetime of Edinburgh aforesaid, widow of the late Alexander Dennistoun.

The said James Dennistoun Mitchell and Robert Maxwell Dennistoun acting herein by their attorneys the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, duly constituted for the purposes hereof under the powers of attorney : the one executed by the said James Dennistoun Mitchell, at Glasgow, in Scotland, on the seventeenth of July last (1907), before a witness, and authenticated by the affidavit of the witness before a notary public, at Glasgow aforesaid ; and by the said Robert Maxwell Dennistoun, before a witness, at Winnipeg, on the thirteenth of July last (1907), authenticated by the affidavit of the witness before a notary public there, which powers of attorney were deposited in the office of the undersigned notary on the date hereof.

The said executors and trustees act herein with the approval (as testified by their signatures hereto) of her residuary legatees, the above named : Francis Robert Redpath, Eleanor Augusta Redpath and Emily Jane Bonar Redpath.

20. DAME ANNIE JEAN SAVAGE, of St. Leonards-on-Sea, England, widow of the late Reverend George Drummond Redpath, in his lifetime of Habledown, in England, and Robert Whitelaw, of Rugby, in England, Gentleman: both herein acting in their quality of executors of the will and trustees of the estate of the said late Reverend George Drummond Redpath, and acting herein with the approval of all the children of the said late Reverend George Drummond Redpath, namely: Miss Alice Maud Redpath and Miss Alice Ethel Redpath, both of Eastbourne, in the county of Sussex, in England, spinsters of the full age of twenty-one years, and Miss Lucy Mabel Redpath, and Miss Helen Redpath, both of St. Leonards-on-Sea, aforesaid, spinsters of the full age of twenty-one years.

All herein acting by the said Charles James Fleet, John Redpath Dougall and Peble Macintosh, their attorneys duly constituted for the purposes hereof under three powers of attorney: the one executed by the said Annie Jean Savage, Lucy Mabel Redpath and Helen Redpath, at Malvern, in England, on the twenty-first of August last (1907), before a witness and authenticated by the affidavit of the witness before William Oliver, a notary public, at London aforesaid, another from Robert Whitelaw, executed before a witness at Granton, on the fourteenth of August last (1907), and authenticated by the affidavit of the witness before John Grant, a notary public and justice of the peace: and the third from Alice Maud Redpath and Alice Ethel Redpath, executed before a witness at Clandon, on the twenty-seventh of August last (1907), and authenticated by the affidavit of the witness before William Oliver, a notary public, at London aforesaid: all of which powers of attorney were deposited in the office of the undersigned notary on the date hereof.

21. The said FRANCIS ROBERT REDPATH, acting herein personally in his quality of executor of the last will and testament of the late William Wood Redpath, in his lifetime of the city of Montreal, notarial student, acting herein with the consent and approval of the said Augusta Eleanor Redpath, Emily Jane Bonar Redpath and the representatives of the late Margaret Pringle Redpath.

Who, together with Miss Margaret Antonia Cochrane, otherwise called Miss Greta Cochrane, minor daughter of the late Dame Margaret J. Dougall, whose ratification upon

attaining majority they jointly and severally undertake, are hereinafter called "the Vendors."

Who have, by these presents, sold and conveyed, with legal warranty, unto the said Francis Robert Redpath, Huntly Redpath Drummond, and George Hyde, of the city of Montreal, chartered accountant, hereinafter called "the Purchasers," and hereto present and accepting for themselves, the survivors and survivor of them, the following moveable and immoveable property, namely :

1. *Stocks and Bonds :*

The various shares of stock and bonds which are described in the schedule marked A hereunto annexed, signed *ne varietur*, by the parties hereto in the presence of the said notary.

The vendors undertake and oblige themselves forthwith to execute such transfers on the books of the several banks and companies or on the scrip certificates representing the shares, as may be necessary to vest the said shares in the purchasers : and for this purpose the vendors constitute the above named Charles J. Fleet, John Redpath Dougall and Preble Macintosh or any of them their true and lawful attorneys and attorney and authorize them or any of them for them and in their names to make, sign and execute all such declarations of transmission as may be necessary to establish the ownership of such shares in the vendors and to execute in favour of the said purchasers such transfers as may be necessary to convey such shares to the purchasers.

2. *Obligations :*

The following obligations with hypothecs, namely

a. The sum of five thousand dollars bearing interest at the rate of five *per centum per annum* from the 1st of April, nineteen hundred and seven, due by Dame Rachel Lazarus, wife of Hyman L. Blumenthal, of the city of Montreal, merchant, as the balance of price due to the executors of the late John Redpath under a certain deed of sale executed before W. de M. Marler notary, on the twenty-third of November, nineteen hundred and three, and registered in the registry office for the registration division of Montreal West under No. 104,066.

b. The sum of two thousand six hundred and fifty dollars, bearing interest at the rate of five and one-half *per centum per annum* from the first of May, nineteen hundred and seven, due by John Morell Mackenzie Duff, of the city of Montreal, chartered accountant, under deed of obligation from Marie

Louise Champeau and others to the executors of the late John Redpath, executed before O'Hara Baynes, notary, on the twenty-fourth of August, eighteen hundred and ninety-six, and registered in the registry office for the registration division of Montreal West, under No. 128,656, which obligation was assumed by James Baxter, under a deed of sale to him from Ma ie Louise Champeau *et al.*, executed before O'Hara Baynes, notary, on the twelfth of November, eighteen hundred and ninety-seven, and registered under No. 130,295, and lastly by the said Mr. Duff under a deed a sale from the said James Baxter, to him executed before R. A. Dunton, notary, on the twenty-fourth of January, nineteen hundred and registered under No. 133,293.

c. The sum of ten thousand dollars, bearing interest at the rate of five *per centum per annum* from the first of May, nineteen hundred and seven, due by Dame Catherine McGinn, of the city of Montreal, widow of the late Michael Feron, under a deed of obligation executed by the said late Michael Feron in favour of the said executors of the late John Redpath, before O'Hara Baynes, notary, on the thirteenth of December, eighteen hundred and eighty-nine, and registered in the registry office for the registration division of Montreal West, under No. 118,324.

d. The sum of ten thousand dollars bearing interest at the rate of five *per centum per annum* from the first day of June, (1907) due under a certain deed of obligation granted by Robert R. Goold in favour of the executors of the late John Redpath, executed before O'Hara Baynes, notary, on the first of April, eighteen hundred and ninety-eight, and registered in the registry office for the registration division of Montreal West, under No. 130,853, and which is now payable by Robert James Ironside, of the city of Montreal, merchant, who assumed the payment thereof under a deed of sale from The Royal Trust Company executed before R. B. Hutcheson, notary, on the nineteenth of November, nineteen hundred and six, registered in the said registry office under No. 143,297.

e. The sum of four thousand five hundred dollars, balance of the price payable to the executors of the late John Redpath by Dame Elizabeth Morrison, wife of William Thomas Ware, of the city of Montreal, exporter, under a deed of sale from the said executors to Francis William Newman, executed before the undersigned notary on the twenty-third of February, nineteen hundred, registered in the registry office for the counties of Hochelaga and Jacques Cartier, under the No. 83,387 and assumed by the said Mrs. Ware under a deed of sale to her from the said Francis William Newman, executed before the undersigned notary on the same date (23rd Feb-

ruary, 1900), and registered in the last mentioned registry office under the No. 83,376.

*f.* The sum of two thousand seven hundred and fifty dollars bearing interest at the rate of five *per centum per annum* from the first day of February, nineteen hundred and seven, payable by Dame Hannah Jane Grieve, of the city of Montreal, widow of the late Thomas Nichol, and comprising the sum of two thousand dollars, balance of an obligation granted by her in favour of the said executors before O'Hara Baynes, notary, on the ninth of February, eighteen hundred and ninety-two, registered in the registry office for the registration division of Montreal West, under No. 121,954 : and the sum of seven hundred and fifty dollars amount of a new loan for which and for the said sum of two thousand dollars, making in all two thousand seven hundred and fifty dollars, the said Dame Hannah Jane Grieve granted an obligation in favour of the said executors before H. M. Marler, notary, on the seventeenth of December, nineteen hundred and three, and registered in the said registry office under No. 138,597.

*g.* The sum of seven thousand dollars, balance now remaining unpaid of the sum of eight thousand dollars, bearing interest at the rate of five *per centum per annum* from the twelfth day of February, nineteen hundred and seven, payable to the executors of the late John Redpath by Shirley Ogilvie, of the city of Montreal, gentleman, the said sum being the balance in capital of an obligation granted by James Crathern and Joseph B. Learmont in favour of the said executors passed before O'Hara Baynes, notary, on the twelfth of August, eighteen hundred and ninety-three, and registered in the registry office for the registration division of Montreal West under No. 124,384, and assumed by Charles E. L. Porteous under a deed of sale to him from the said James Crathern and Joseph B. Learmont, executed before Wm. McLennan, notary, on the sixteenth of April, eighteen hundred and ninety-four, and registered under the No. 125,488, and afterwards by the said Shirley Ogilvie, under a deed of sale to him from the said Charles E. L. Porteous, executed before R. A. Dunton, notary, on the twenty-second of October, nineteen hundred and six, and registered in the said registry office under the No. 143,108.

*h.* The sum of seven thousand five hundred dollars, bearing interest at the rate of five *per centum per annum* from the first of April, nineteen hundred and seven, payable to the said executors by the trustees of the religious congregation of the Sherbrooke Street Methodist Church, as is set forth in a certain deed of obligation executed before O'Hara Baynes, notary, on the fifteenth of February, eighteen hundred and ninety, registered in the registry office for the registration division of Montreal East, under No. 26,322 and under a deed of obligation

granted by the said trustees in favour of the said executors Redpath, before O'Hara Baynes, notary, on the first of February, eighteen hundred and ninety-two, and registered in the said registry office under the No. 30,741.

i. The sum of fifteen thousand dollars, balance now remaining unpaid of the sum of twenty-five thousand dollars bearing interest at the rate of five *per centum per annum*, from the twentieth of December, nineteen hundred and six, payable to the said executors by Alexander Parker Willis, of the town of Westmount, piano merchant, as the balance of the price payable by him to the said executors Redpath under a deed of sale executed before the undersigned notary, on the twentieth of June, nineteen hundred and six, and registered in the registry office for the registration division of Montreal West, under the No. 142,671.

j. The sum of eight thousand dollars bearing interest at the rate of five *per centum per annum* from the eighteenth of February last, (1907), due by Dame Lucy W. Atwater, wife of James H. Sherrard, of the town of Westmount, manager, under a deed of obligation granted by her in favour of the said executors Redpath, executed before H. M. Marler, notary, on the eighteenth of February last, registered in the registry office for the counties of Hochelaga and Jacques Cartier, under the No. 130,616.

And the vendors subrogate and substitute the purchasers in all their rights, actions, privileges and hypothecs resulting from the deeds hereinbefore referred to or in any way incidental to the said debts hereby transferred, and the vendors constitute the purchasers their true and lawful attorneys and authorize them if need be to grant discharge of the said several debts above mentioned in the names of the vendors should they think proper.

### 3. *The following real estate :*

1. The Terrace Bank property, being lot number seventeen hundred and fifty-five (1775) on the official plan and book of reference of the St. Antoine ward, of the city of Montreal, less the portions thereof which have been already sold by the executors of the late John Redpath under deeds duly registered.

2. The house number one hundred and fourteen (114) Mackay Street, in the city of Montreal, and the yard and out-buildings thereunto belonging being part of lot number sixteen hundred and ninety-one (1691) on the official plan and book of reference of the St. Antoine ward, of the city of Montreal.

3. That certain block of tenement houses bearing the civic numbers from fourteen (14) to twenty-eight (28) inclusive of

Mackay Street, and forming part of lot number fifteen hundred and eighty-four (1584) on the official plan and book of reference of the said St. Antoine ward.

4. The lot number eighteen hundred and sixty (1860) on the official plan and book of reference of the St. Ann's ward, of the city of Montreal, with the warehouse No. forty-five (45) St. Maurice Street thereon erected.

5. The thirteen-twenty-second part of the Albert buildings numbers two hundred and eighty-eight (288) and two hundred and ninety (290) St. James Street, being the Western part of lot number nine hundred and thirteen (913) on the official plan and book of reference of the said St. Antoine ward and being subject to a lease and promise of sale made by the said executors to the Herald Publishing Company, executed before the undersigned notary, on the 10th April, (1905), and which the purchasers are to maintain.

Together with all the rights appertaining to the said property.

6. The houses numbers two hundred and sixty-five (265), two hundred and sixty-seven (267), two hundred and sixty-nine (269), and two hundred and seventy-one (271), University street, and the yards and outbuildings thereunto appertaining, erected on part of subdivision seventy-four (74), of lot number eighteen hundred and twenty-two (1822) on the said official plan and book of reference of the said St. Antoine ward of the city of Montreal.

7. The houses numbers one hundred and forty-nine (149), and one hundred and fifty-one (151) Metcalfe Street, in the city of Montreal, with the yards and outbuildings thereunto appertaining, being erected on parts of lot number fourteen hundred and twenty (1420), on the official plan and book of reference of the said St. Antoine ward.

8. The house No. three hundred and fifty (350), Prince Arthur Street, in the city of Montreal, and the yard and outbuildings thereunto appertaining, erected on part of subdivision seventy-three of the official subdivisions of lot number eighteen hundred and twenty-three (1823-73), on the official plan and book of reference of the St. Antoine ward.

9. The warehouse numbers one hundred and fifty-six (156), and one hundred and fifty-eight (158), Craig Street West, in the city of Montreal, erected on part of subdivision eleven of the official subdivisions of lot number two hundred and seven (207-11) on the official plan and book of reference of the West ward, of the city of Montreal.

10. The premises one hundred and fifty-five (155) to one hundred and fifty-nine (159) inclusive, of Fortification lane, in the city of Montreal, being part of subdivision five of the



official subdivisions of lot number two hundred and seven on the official plan and book of reference of the West ward of the city of Montreal.

Notwithstanding the above enumeration it is the intention of the vendors to sell and of the purchasers to acquire the entire property, moveable and immoveable, belonging to the vendors as the legal representatives of the late John Redpath and of his succession as administered by the executors of his will. In consequence the omission of the description of any asset herein shall not in any way prejudice the right of the purchasers to obtain such asset : and the said Charles J. Fleet, John Redpath Dougall and Preble Macintosh are constituted the attorneys jointly and severally of the vendors, and of each of them, for the vendors and in their names, and for and in the name of each of them to make all such declarations as to their title or otherwise, and to execute all such supplementary deeds as may in the opinion of the purchasers be necessary or expedient to vest in the purchasers the entire estate and succession of the said late John Redpath as the same was on the death of the said late Dame Jane Drummond, and as up to that time administered by the executors of the will of the said late John Redpath, together with all revenues and income since received.

The present sale and conveyance is thus made for good and valuable consideration which the vendors acknowledged to have received from the purchasers at the execution hereof whereof quit.

In the event of the death of any one of the purchasers, all and every the property, moveable and immoveable, hereby sold and conveyed or intended so to be shall belong to the survivors and survivor of the purchasers, to the exclusion of the heirs or legal representatives of the deceased purchaser, any law, usage, or custom to the contrary notwithstanding.

WHEREOF ACTE. THUS DONE AND PASSED at the city of Montreal, on this fifth day of October, one thousand nine hundred and seven, and of record in the office of the undersigned notary, under the No. twenty-seven thousand nine hundred and one

And after due reading hereof the parties signed in the presence of the said notary on various dates and closed and signed by the said notary on the fifth day of October, nineteen hundred and seven.

(Signed) F. R. REDPATH,  
" H. R. DRUMMOND,  
" G. St. F. LAMBERT,  
" M. B. ROBINSON,

(Signed) E. T. LAMBERT,  
 " A. W. ROBINSON,  
 " HAROLD M. REDPATH,  
 " J. R. DOUGALL,  
 " S. G. DOUGALL,  
 " ELISABETH M. COCHRANE,  
 " EDITH COCHRANE,  
 " G. WINIFRED COCHRANE,  
 " E. J. B. BOVEY,  
 " HENRY T. BOVEY,  
 " A. ELEANOR FLEET,  
 " C. J. FLEET,  
 " GEO. HYDE,  
 " AMY REDPATH RODDICK,  
 " T. G. RODDICK,  
 " GEO. A. DRUMMOND,  
 " FREDERICK E. DOUGALL,  
 " ARTHUR I. DRUMMOND,  
 " JOHN REGINALD REDPATH,  
 " GRACE BURTON WOOD,  
 " AGNES MARY WOOD,  
 " MARGARET ELLEN ROUX,  
 " MARY BACON BRAILSFORD,  
 " JAMES D. DOUGALL,  
 " LILY DOUGALL,  
 " JANET ALICE DOUGALL,  
 " HUGH COCHRANE,  
 " DONALD COCHRANE,  
 " EDWARD THORNTON TAYLOR,  
 " ARCHIBALD D. TAYLOR,  
 " HELEN IDA TAYLOR,  
 " ALICE JANE BRAILSFORD,  
 " ALFRED WALTON BRAILSFORD,  
 " ROBERT R. SIMPSON,  
 " JAMES D. MITCHELL,  
 " ROBERT MAXWELL DENNISTOUN,  
 " ANNIE JEAN REDPATH,  
 " ROBERT WHITELAW,  
 " ALICE MAUD REDPATH,  
 " ALICE ETHEL REDPATH,  
 " LUCY MABEL REDPATH,  
 " HELEN REDPATH,

*By their attorneys*

C. J. FLEET

J. R. DOUGALL

Preble MacINTOSH

" W. DE M. MARLER, N. P.

A true copy of the original hereof remaining of record in my office,

W. DE M. MARLER, N. P.

## SCHEDULE B

BEFORE M<sup>RE</sup> WILLIAM DE M. MARLER, the undersigned  
notary for the Province of Quebec, practising at the city  
of Montreal,

## APPEARED :

1. FRANCIS ROBERT REDPATH, of the city of Montreal, esquire.
2. DAME AUGUSTA FLEANOR REDPATH, wife separate as to property by their marriage contract of CHARLES J. FLEET, of the city of Montreal, advocate and King's Counsel, duly authorized by her said husband for the purposes hereof.
3. DAME EMILY JANE BONAR REDPATH, wife separate as to property by their marriage contract of HENRY T. BOVEY, of the city of Montreal, Dean of the Faculty of Applied Science of McGill University, duly authorized by her said husband for the purposes hereof.
4. HAROLD MILLS REDPATH, of the city of Montreal, esquire.
5. DAME AMY REDPATH, wife separate as to property by their marriage contract of THOMAS GEORGE RODDICK, of the city of Montreal, Dean of the Faculty of Medicine of McGill University, duly authorized by her said husband for the purposes hereof.
6. JOHN REGINALD REDPATH, of Pincher Creek Ranchman.

Herein acting by the said Charles James Fleet, and John Redpath Dougall, newspaper publisher and proprietor, and Preble Macintosh, chartered accountant, both of the city of Montreal, his special attorneys under a power of attorney executed before witnesses, at Pincher Creek on the twenty-second of July last (1907), authenticated by the certificate of Donald Thomson, a notary public for the Province of Alberta, and deposited in the office of the undersigned notary on the date hereof.

7. The said HAROLD MILLS REDPATH, and CHARLES JAMES FLEET, who with HENRY WARREN JONES, of No. 39, Lime Street, London, are the trustees appointed under the last will and testament and codicils thereto of the late Grace Wood, in her lifetime, of Chislehurst, in the

county of Kent, in England, widow and universal legatee of the late Peter Redpath, in his lifetime of the same place, and a majority of the trustees, and act herein with the approval (as testified by their signatures hereto) of her residuary legatees, viz :—

- a. The said Harold Mills Redpath.
- b. The said Dame Amy Redpath *et vir*.
- c. The said John Reginald Redpath.
- d. Miss Grace Burton Wood and Miss Agnes Mary Wood both spinsters of the full age of twenty-one years, of Manor House, Chislehurst, aforesaid.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by them at Barnard Castle, county of Durham, in England, before witnesses, and authenticated by the affidavit of one of the witnesses before the mayor of Darlington, and deposited in the office of the undersigned notary on the date hereof.

- e. DAME MARGARET ELLEN ROUX, wife of Theophile Roux, of Paris, in France, minister, and Miss Mary Bacon Brailsford of Oakfield Cottage, Bowdon, in the county of Chester, in England .

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by the said Margaret Ellen Roux, at Bradford, in England, before witnesses on the thirteenth of August last (1907), authenticated by the affidavit of one of the witnesses before the mayor of Bradford, and by the said Mary Bacon Brailsford, at Hoylake, on the fifteenth of August last 1907, before witnesses, and authenticated by the affidavit of one of the witnesses before the Lord Mayor of Liverpool ; which power of attorney and the authorization of the said Theophile Roux were deposited in the office of the undersigned notary on the date hereof.

- f. DAME GERTRUDE ST. FRANCIS TAYLOR, wife of Emile Theodore Lambert, of the town of Westmount, professor, authorized by her husband for the purposes hereof.
8. THE HONOURABLE SIR GEORGE ALEXANDER DRUMMOND, of the city of Montreal, Knight of the Order of St. Michael and St. George, and one of the Senators of the Dominion of Canada, acting herein as universal legatee, in trust, of his deceased wife the late Dame Helen Redpath, under her will received by W. A. Phillips and his colleague,

notaries, on the tenth of December, eighteen hundred and seventy-nine, and with the approval (as testified by their signatures hereto) of the only surviving issue of their marriage, namely : Huntly Redpath Drummond and Arthur Lennox Drummond, both of the city of Montreal, esquires.

9. The said JOHN REDPATH DOUGALL.

10. JAMES D. DOUGALL, of Botanic Place, Flushing, in the state of New York, one of the United States of America.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as his attorneys duly constituted for the purposes hereof under a power of attorney executed by him and others before witnesses at New York on the thirteenth day of September last (1907), authenticated by the certificate of Frederick W. Fielding, a notary public there, and deposited in the office of the undersigned notary on the date hereof.

11. MISS SUSAN GRACE DOUGALL, of the city of Montreal, unmarried woman of the full age of twenty-one years.

12. MISS LILY DOUGALL, of East Undercliff, Exmouth, in the county of Devon, in England, spinster of the full age of twenty-one years.

Herein acting by the said Charles James Fleet, John Redpath Dougall, and Preble Macintosh, her attorneys duly constituted for the purposes hereof under a power of attorney from her executed at Cambridge, in England, on the sixteenth of August last (1907), before a witness and authenticated as to her signature by the affidavit of the witness before A. E. King, a notary public, at Cambridge aforesaid, and deposited with the undersigned notary on the date hereof.

13. MISS ELIZABETH MARGARET COCHRANE, MISS EDITH MARY COCHRANE, and MISS GRACE WINNIFRED COCHRANE, all of the city of Montreal, unmarried women of the full age of twenty-one years : the said Edith Mary Cochrane also herein acting as the transferee of the rights, in the estate of the late John Redpath, in his lifetime of the city of Montreal, esquire, of her brother, Arthur Dougall Cochrane, of Paolo Alto, in the State of California, one of the United States of America, under a transfer executed before a witness on the twenty-fourth day of January last, and deposited with the undersigned notary on the date hereof.

county of Kent, in England, widow and universal legatee of the late Peter Redpath, in his lifetime of the same place, and a majority of the trustees, and act herein with the approval (as testified by their signatures hereto) of her residuary legatees, viz :—

- a. The said Harold Mills Redpath.
- b. The said Dame Amy Redpath *et vir*.
- c. The said John Reginald Redpath.
- d. Miss Grace Burton Wood and Miss Agnes Mary Wood both spinsters of the full age of twenty-one years, of Manor House, Chislehurst, aforesaid.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by them at Barnard Castle, county of Durham, in England, before witnesses, and authenticated by the affidavit of one of the witnesses before the mayor of Darlington, and deposited in the office of the undersigned notary on the date hereof.

- e. DAME MARGARET ELLIEN ROUX, wife of Theophile Roux, of Paris, in France, minister, and Miss Mary Bacon Brailsford of Oakfield Cottage, Bowdon, in the county of Chester, in England.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as their attorneys duly constituted for the purposes hereof under a power of attorney executed by the said Margaret Ellen Roux, at Bradford, in England, before witnesses on the thirteenth of August last (1907), authenticated by the affidavit of one of the witnesses before the mayor of Bradford, and by the said Mary Bacon Brailsford, at Hoylake, on the fifteenth of August last 1907, before witnesses, and authenticated by the affidavit of one of the witnesses before the Lord Mayor of Liverpool; which power of attorney and the authorization of the said Theophile Roux were deposited in the office of the undersigned notary on the date hereof.

- f. DAME GERTRUDE ST. FRANCIS TAYLOR, wife of Emile Theodore Lambert, of the town of Westmount, professor, authorized by her husband for the purposes hereof.
8. THE HONOURABLE SIR GEORGE ALEXANDER DRUMMOND, of the city of Montreal, Knight of the Order of St. Michael and St. George, and one of the Senators of the Dominion of Canada, acting herein as universal legatee, in trust, of his deceased wife the late Dame Helen Redpath, under her will received by W. A. Phillips and his colleague,

notaries, on the tenth of December, eighteen hundred and seventy-nine, and with the approval (as testified by their signatures hereto) of the only surviving issue of their marriage, namely : Huntly Redpath Drummond and Arthur Lennox Drummond, both of the city of Montreal, esquires.

9. The said JOHN REDPATH DOUGALL.

10. JAMES D. DOUGALL, of Botanic Place, Flushing, in the state of New York, one of the United States of America.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, as his attorneys duly constituted for the purposes hereof under a power of attorney executed by him and others before witnesses at New York on the thirteenth day of September last (1907), authenticated by the certificate of Frederick W. Fielding, a notary public there, and deposited in the office of the undersigned notary on the date hereof.

11. MISS SUSAN GRACE DOUGALL, of the city of Montreal, unmarried woman of the full age of twenty-one years.

12. MISS LILY DOUGALL, of East Undercliff, Exmouth, in the county of Devon, in England, spinster of the full age of twenty-one years.

Herein acting by the said Charles James Fleet, John Redpath Dougall, and Preble Macintosh, her attorneys duly constituted for the purposes hereof under a power of attorney from her executed at Cambridge, in England, on the sixteenth of August last (1907), before a witness and authenticated as to her signature by the affidavit of the witness before A. E. King, a notary public, at Cambridge aforesaid, and deposited with the undersigned notary on the date hereof.

13. MISS ELIZABETH MARGARET COCHRANE, MISS EDITH MARY COCHRANE, and MISS GRACE WINNIFRED COCHRANE, all of the city of Montreal, unmarried women of the full age of twenty-one years : the said Edith Mary Cochrane also herein acting as the transferee of the rights, in the estate of the late John Redpath, in his lifetime of the city of Montreal, esquire, of her brother, Arthur Dougall Cochrane, of Paolo Alto, in the State of California, one of the United States of America, under a transfer executed before a witness on the twenty-fourth day of January last, and deposited with the undersigned notary on the date hereof.

14. **FREDERICK EUGENE DOUGALL**, of the city of Montreal, journalist, **MISS JANET ALICE DOUGALL**, of Botanic Place, Flushing aforesaid, spinster, of the full age of twenty-one years, and the said Lily Dougall, all herein acting in their quality of executors of the last will and testament of the late Miss Janet Elizabeth Dougall, in her lifetime of the city of Montreal, unmarried woman :

The said Janet Alice Dougall, acting herein by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, her attorneys duly constituted for the purposes hereof under a power of attorney from her and others executed before witnesses at New York on the thirteenth of September last (1907), authenticated by the certificate of Frederick W. Fielding, a notary there, and deposited in the office of the undersigned notary on the date hereof.

And the said Lily Dougall acting herein by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, her attorneys duly constituted for the purposes hereof under the power of attorney hereinbefore mentioned.

The said executors of the late **MISS JANET ELIZABETH DOUGALL** acting herein with the approval (as testified by their signatures hereto) of the beneficiaries under her will, namely : the said Elizabeth Margaret Cochrane, Edith Mary Cochrane, Grace Winnifred Cochrane, Lily Dougall, Janet Alice Dougall and Frederick Eugene Dougall.

15. **HUGH COCHRANE**, of Hampstead, in England, journalist.

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed by him at Hampstead aforesaid, on the twentieth day of August last, (1907), before a witness, authenticated by the affidavit of the witness before William Oliver, a notary public, at London aforesaid, and deposited in the office of the undersigned notary on the date hereof.

16. **DONALD COCHRANE**, of Mission, in the Province of British Columbia, student :

Herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed by him at Vancouver on the



twenty-sixth day of September last (1907), before witnesses, duly authenticated by the affidavit of one of the witnesses before H. G. Ross, a notary public, at Vancouver, and deposited in the office of the undersigned notary on the date hereof.

17. EDWARD THORNTON TAYLOR, of Kingston, in Ontario, Colonel commanding The Royal Military School, and GEORGE HYDE, of the city of Montreal, accountant :

Herein acting in their quality of executors of the will of the late Dame Mary Taylor, in her lifetime of the city of Montreal, widow of the late Thomas M. Taylor; the said Edward Thornton Taylor is one of the executors named in the said will : the said George Hyde was appointed an executor by a judgment rendered in the Superior Court in the district of Montreal, on the thirty-first day of March, eighteen hundred and ninety-eight, in place of Archibald Dunbar Taylor the other executor named in the said will who resigned by deed before the undersigned notary on the twenty-first of March, eighteen hundred and ninety-eight.

The said Edward Thornton Taylor acts herein by the said Charles James Fleet, John Redpath Dougall, and Preble Macintosh, his attorneys duly constituted for the purposes hereof under a power of attorney executed at Kingston aforesaid, on the fifth of June last (1907), before a witness, and authenticated by the certificate of J. B. Walkem, a notary public for the Province of Ontario, and deposited in the office of the undersigned notary on the date hereof.

The said executors act herein with the approval (as testified by their signatures hereto) of the residuary legatees of the said late Dame Mary Taylor, namely :

- a. ARCHIBALD DUNBAR TAYLOR, barrister-at-law, of Vancouver, in the Province of British Columbia.
- b. MISS HELEN IDA TAYLOR, unmarried woman of the full age of twenty-one years, of the same place :

Both herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, their attorneys duly constituted for the purposes hereof under a power of attorney executed before witnesses at Vancouver aforesaid, on the eighth of June last (1907), and authenticated by the certificate of A. W. V. Innes, a notary public for the Province of British Columbia, and deposited in the office of the undersigned notary on the date hereof.

c. The said Edward Thornton Taylor, acting by his attorneys, the said Charles James Fleet, John Redpath Dougall and Preble Macintosh under the power of attorney above mentioned.

d. DAME ALICE JANE TAYLOR, wife of Alfred Walton Brailsford, of Bradford, in England, merchant, and her said husband in his own name and to authorize his said wife:

Both herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, their duly constituted attorneys under a power of attorney executed at Bradford, in England, on the fifteenth of August last (1907), before a witness, authenticated by the affidavit of the witness before H. O. Wade, a notary public there, and deposited in the office of the undersigned notary on the date hereof.

e. The said DAME GERTRUDE ST. FRANCIS TAYLOR, authorized by her said husband.

f. DAME MARGARET BEATRICE TAYLOR, wife of Arthur Wells Robinson, of the town of Westmount, civil engineer, duly authorized by her said husband for the purposes hereof, and the said Arthur Wells Robinson to authorize his said wife.

18. The said JOHN REDPATH DOUGALL and ROBERT RUSSELL SIMPSON, of Edinburgh, in Scotland, writer to the Signet, acting herein in their quality of executors of the will and trustees of the estate of the late Miss Jane Margaret Redpath, in her lifetime formerly of the city of Montreal, but at the time of her death of Edinburgh, aforesaid.

The said Robert Russell Simpson acts herein by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, his attorneys duly constituted for the purposes hereof, under a power of attorney, executed at Edinburgh, in Scotland, on the second of September last (1907), before a witness and authenticated by the affidavit of the witness before a notary public at Edinburgh aforesaid, and deposited in the office of the undersigned notary on the date hereof.

The said trustees and executors act herein with the approval (as testified by their signatures hereto) of the residuary legatees, the said Susan Grace Dougall and Lily Dougall, and of the executors and beneficiaries under the will of the late Miss Janet Elizabeth Dougall.

19. JAMES DENNISTOUN MITCHELL, of Carwood, Biggar, Scotland, and ROBERT MAXWELL DENNISTOUN, of Winnipeg, in Manitoba, barrister-at-law, in their quality of executors

of the will and trustees of the estate of the late Dame Mary Pringle Redpath, in her lifetime of Edinburgh aforesaid, widow of the late Alexander Dennistoun.

The said James Dennistoun Mitchell and Robert Maxwell Dennistoun acting herein by their attorneys the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, duly constituted for the purposes hereof under powers of attorney : the one executed by the said James Dennistoun Mitchell at Glasgow, in Scotland, on the twenty-first of August last (1907), before a witness, and authenticated by the affidavit of the witness before a justice of the peace at Lanark ; and by the said Robert Maxwell Dennistoun before a witness at Winnipeg on the thirteenth of July last (1907), authenticated by the affidavit of the witness before a notary public there, which powers of attorney were deposited in the office of the undersigned notary on the date hereof.

The said executors and trustees act herein with the approval (as testified by their signatures hereto) of her residuary legatees, the above named : Francis Robert Redpath, Eleanor Augusta Redpath and Emily Jane Bonar Redpath.

20. DAME ANNIE JEAN SAVAGE, of St. Leonards-on-Sea, England, widow of the late Reverend George Drummond Redpath, in his lifetime of Harbledown, in England, and Robert Whitelaw, of Rugby, in England, gentleman ; both herein acting in their quality of executors of the will and trustees of the estate of the said late Reverend George Drummond Redpath, and acting herein with the approval of all the children of the said late Reverend George Drummond Redpath, namely : Miss Alice Maud Redpath and Miss Alice Ethel Redpath, both of Eastbourne, in the county of Sussex, in England, spinsters of the full age of twenty-one years, and Miss Lucy Mabel Redpath and Miss Helen Redpath, both of St. Leonards-on-Sea aforesaid, spinsters of the full age of twenty-one years.

All herein acting by the said Charles James Fleet, John Redpath Dougall and Preble Macintosh, their attorneys duly constituted for the purposes hereof under three powers of attorney ; one executed by the said Annie Jean Savage at Malvern, before a witness on the twenty-first of August last (1907), proved by the affidavit of the witness before William Oliver, a notary public at London, and by the said Robert Whitelaw at Grantown, before a witness, and authenticated by the affidavit of the witness before John Grant, a notary

public and justice of the peace ; a second from Lucy Mabel Redpath and Helen Redpath, executed at Malvern, in England, on the twenty-first of August last (1907), before a witness and authenticated by the affidavit of the witness before William Oliver, a notary public at London aforesaid ; and the third from Alice Maud Redpath and Alice Ethel Redpath, executed before a witness at Clandon on the twenty-seventh of August last (1907), and authenticated by the affidavit of the witness before William Oliver, a notary public at London aforesaid ; all of which powers of attorney were deposited in the office of the undersigned notary on the date hereof.

21. The said FRANCIS ROBERT REDPATH, acting herein personally in his quality of executor of the last will and testament of the late William Wood Redpath, in his lifetime of the city of Montreal, notarial student, acting herein with the consent and approval of the said Augusta Eleanor Redpath, Emily Jane Bonar Redpath and the representatives of the late Margaret Pringle Redpath.

Who with Miss Margaret Antonia Cochrane, otherwise called Greta Cochrane, minor daughter of the late Dame Margaret Dougall, are all the beneficiaries under the will of the late John Redpath, hereinafter mentioned, and act herein as well for themselves as for and on behalf of the said Miss Greta Cochrane whose ratification they jointly and severally undertake on her attaining the age of majority, hereinafter called " the beneficiaries,"

*Of the first part,*

AND

FRANCIS ROBERT REDPATH and HUNTLY REDPATH DRUMMOND  
above named, and GEORGE HYDE, of the city of Montreal,  
chartered accountant,

*Of the second part.*

Who declared unto the said notary :

That whereas by the last will and testament of the late John Redpath, in his lifetime of the city of Montreal, esquire, which was proved in the Superior Court in the district of Montreal on the thirteenth of April, eighteen hundred and sixty-nine, the testator appointed as his executors, his wife, the late Dame Jane Drummond, and his sons Peter Redpath and Frank Robert Redpath, and continued their powers and authority beyond the year and day limited by law, that is to say until the death of the said Dame Jane Drummond and until his youngest

surviving child should have attained the age of majority whichever event should last happen;

And whereas the said Dame Jane Drummond died on the thirtieth day of January last, and all the testator's children had then attained the age of majority;

And whereas the powers and authorities of the said executors have therefore ceased, and the parties of the first part, being all the beneficiaries entitled under the said will and being desirous of providing for the payment of the legacies bequeathed by the said will, and the division of the estate as far as is practicable, and the disposal of what cannot be readily divided, and, the administration of the estate until the final division thereof, have by deed of conveyance executed before the undersigned notary and bearing even date herewith, conveyed unto the said parties hereto of the second part and the survivors and survivor of them the moveable and immoveable property described in the said deed.

NOW, THESE PRESENTS AND I, the said notary, witness :

1. That the said deed of conveyance has been made by the parties hereto of the first part unto the parties hereto of the second part and the survivors and survivor of them without any consideration having been paid for such conveyance by the parties hereto of the second part other than the considerations, undertakings and agreements and the purposes herein set forth, namely :

2. That the parties of the second part, the survivors and survivor of them and any successor who may be named in the manner hereinafter provided to fill any vacancy in their number (all of whom shall for the sake of brevity be hereinafter called " the trustees " and of whom there shall be always three) shall and they hereby undertake bind and oblige themselves so to proceed :

(a) Forthwith to determine and establish as on the thirtieth day of January last the accounts towards the said estate of the various beneficiaries and the amounts either to be returned or accounted for by them to the estate or to be paid by the estate to them respectively ; all of which amounts shall bear interest at the rate of five per centum per annum from the said thirtieth day of January last, and in making up the said accounts as regards advances made to any of the children of the said late John Redpath under clause ninth of his will and payments made to them during the lifetime of the said late Dame Jane Drummond, simple interest shall be charged thereon as provided by the said will from the time when such advances or payments were made up to the said thirtieth day of January last.

(b) To pay to those of the beneficiaries who may be thus found to be creditors of the estate for legacies payable to them or otherwise, the amounts payable to them respectively either in cash or in property of the estate at such valuation as may be agreed upon between the trustees and the beneficiary, commencing with the payments to the children of the second family under clause fourth, section one of the will.

(c) To divide from time to time what may remain of the estate after these payments have been made, as far as may be practicable, and for this purpose to employ valuers and experts for the purpose of assisting them in laying out the real estate into streets and lanes and of dividing it into lots and of valuing the various assets to be divided to form the shares one for each of the twelve children of the said late John Redpath and to attribute these shares to the beneficiaries by lot. But nothing herein contained shall be construed as requiring the trustees to subdivide the share of any deceased son or daughter of the late John Redpath among the representatives of such deceased son or daughter.

Before the shares are allotted, the scheme of division shall remain open for inspection by the beneficiaries present in the city of Montreal or represented there, for such time as the trustees may deem expedient.

The trustees will have the power to exclude from such division any part of the real estate which they may deem not expedient to divide up, such as the piece of land north of Pine Avenue or the house called Terrace Bank with sufficient land to serve as an appurtenance thereto.

3. That for the above purposes and subject thereto the trustees will have the power :

(a) To administer and manage the property so conveyed to the parties of the second part ; to receive all rents, dividends and revenues, accrued and to accrue and all capital sums whatsoever ; lease any part of the said property for such term, not exceeding three years, at such rental and on such other conditions as they may think proper ; pay all taxes and other charges ; make repairs and improvements ; and enter into contracts for the execution of the same.

(b) To convey and make over to any of the beneficiaries by good and sufficient deeds and instruments any part of the property, moveable or immoveable, of the estate conveyed to the trustees as aforesaid, in payment of the amounts due by the said estate to such beneficiaries respectively or payable or coming to them in virtue of any division which the trustees may have made among the beneficiaries.

(c) To cede streets and lanes to the city of Montreal, with or without consideration ; to impose upon the Terrace Bank

property or any part of it or the property above Pine Avenue, such servitudes as the trustees may deem expedient for the protection of any property of the estate as to size of lots, class, destination, character and situation of buildings, distance from the street line, etc., and to make such servitudes either perpetual in their duration or to become extinguished by the lapse of a certain period.

(d) To sell for such price or prices, and on such terms, conditions and delays as they may think proper, any property, moveable or immovable, which in their opinion, cannot be readily divided among the beneficiaries, or which it may be inexpedient to put into the share of any beneficiary: to receive the price. This power of sale though expected to be exercised only after the divisible portion of the estate has been divided, may be exercised before division should the trustees think best.

4. The trustees will have the power to decide, with or without taking legal advice, all questions and matters of doubt which may arise at any time in the course of their operations or which may affect the share in the capital or in the income of any of the parties hereto, the amounts thereof, of their indebtedness to the said estate, or as to any other matter or thing whatsoever in connection with the said estate, or arising out of the said will or the interpretation of any of the clauses thereof, and all questions of account, subject, however, to the particular directions herein contained; and their decisions upon each, any or all of such matters of doubt shall be final and conclusive and binding on all the parties hereto, who undertake to abide by such decision without having any right to appeal to the courts.

5. In all matters the decision of a majority of the trustees shall prevail: provided always that in any transaction between the trustees and a beneficiary, such beneficiary or the husband of such beneficiary, if one of the trustees, shall not count as one of the majority; and each of the trustees undertakes and obliges himself to sign and execute such deeds and instruments as may be necessary to carry out the decisions of a majority of the trustees in the same manner as if he had concurred therein, but his dissent from the decision may, and shall, if required by him, be noted in any minute book that may be kept wherein the proceedings of the trustees may be entered.

6. A trustee may resign at any convenient time and in the event of the death, resignation or incapacity to act of any of the trustees, his place shall be supplied by a person chosen at a meeting of the beneficiaries called by a judge of the Superior Court in the district of Montreal at the instance of any party interested and after notice to the beneficiaries or their representatives by prepaid registered letter addressed to each of the parties hereto of the first part at his or her place of residence

above mentioned (or to such place or places as they or their legal representatives may in writing indicate to the trustees) and mailed at least thirty days before the time fixed by such judge for such meeting.

It is also agreed that beneficiaries holding at least two-thirds in interest of the estate of the said late John Redpath may at any time fill a vacancy in the trust and remove a trustee or appoint a new one in his place by an act in writing, and may at any time in like manner set aside this deed; and in the event of this deed being set aside, the trustees shall re-convey the assets of the estate to the beneficiaries, and their powers shall be limited in the meantime to the completion of acts already begun and to conservatory measures.

And it is expressly agreed by each of the parties hereto—and each of the parties of the first part doth hereby covenant and agree with all the other parties hereto and with the trustees, and doth bind and oblige himself or herself, his or her heirs and legal representatives—that for the purposes of this agreement and whenever any notice is required to be given to or any power is to be exercised by any of the beneficiaries, whether parties to this agreement or their representatives, such notice may be given to or power exercised by the tutor, curator, executor or other legal representative if any beneficiary is unable to act personally.

7. Whenever a successor shall be appointed in the manner provided by the preceding clause, it shall be the duty of the other trustees, and they and each of them shall be bound forthwith to execute in favour of such successor such conveyance as may be deemed necessary to convey to such successor and the other trustees hereto jointly, the survivors and survivor of them, whatever property may then remain vested in them under the said conveyance of even date herewith to be held for the purposes and subject to the powers, rights, duties and discretion herein vested in or to be exercised by the herein named parties of the second part and the resigning party of the second part, and the heirs or legal representatives of such one of the parties of the second part as may be deceased shall be bound if so required to join in such conveyance and to execute such instruments as may be deemed necessary to convey his or their interest in any property held by such resigning or deceased party of the second part under such conveyance of even date herewith.

If a trust company shall be appointed as trustee or as attorney of a trustee it may act by any officer selected by its board of directors or the executive committee thereof.

8. Should any of the parties of the second part be a beneficiary or the husband of a beneficiary he shall be entitled to a remuneration of his services at the rate of one thousand dollars per annum; any trustee not a beneficiary shall be entitled to



such remuneration payable by way of salary, commission or otherwise, as the others of the parties of the second part may determine.

9. The trustees will have the right to retain and to keep undivided moneys or other securities of the estate of such character and to such extent as they may deem necessary to provide for the payment of taxes and other expenses of administration ; to provide for annuities or for any other purpose required in order to carry out the directions of the will or to meet contingencies ; and they are authorized to purchase from an insurance company or from any other person or persons an annuity to take the place of any annuity now payable under said will ; and they will have the power to invest moneys in such securities as they may deem best without being bound to invest in the securities mentioned in article 981<sup>o</sup> of the Civil Code and without responsibility for any loss which may happen in consequence.

10. The trustees are expected to use their best judgment, care and experience in the settlement of any questions which may come before them and to decide such questions without favour or partiality and they shall conform to all directions herein given, but as regards the actual administration they are expected only to exercise a general supervision, save and except such further duties as any of them may agree to undertake ; therefore they will have the power to appoint such agents or attorneys, either general or special, as they may deem proper, and they shall not be responsible for the acts or defaults of the person or persons whom they may name ; provided the persons named be of good repute.

11. The trustees shall be allowed credit for all expenses and disbursements which they may be put to in the administration.

12. The parties of the first part undertake, bind and oblige themselves to indemnify and hold harmless the trustees and each of them against any obligations which they or any of them may incur by reason or in consequence of the exercise of the powers herein contained or incidental thereto.

13. The parties of the first part authorize the trustees to ratify and confirm all acts done by the said Francis Robert Redpath alone since the death of the late Dame Jane Drummond and to discharge the executors of the late John Redpath.

WHEREOF ACTE of record in the office of the said Mtre. Marler under No. twenty-seven thousand nine hundred and two.

And after due reading hereof the parties signed in the presence of the said notary on various dates.

And closed by the signature of the said notary on the fifth day of October, nineteen hundred and seven.

(Signed) F. R. REDPATH,  
 " H. R. DRUMMOND,  
 " G. ST. F. LAMBERT,  
 " M. B. ROBINSON,  
 " E. T. LAMBERT,  
 " A. W. ROBINSON,  
 " HAROLD M. REDPATH,  
 " J. R. DOUGALL,  
 " S. G. DOUGALL,  
 " ELIZABETH M. COCHRANE,  
 " EDITH COCHRANE,  
 " G. WINNIFRED COCHRANE,  
 " E. J. B. BOVEY,  
 " HENRY T. BOVEY,  
 " A. ELEANOR FLEET,  
 " C. J. FLEET,  
 " GEO. HYDE,  
 " AMY REDPATH RODDICK,  
 " T. G. RODDICK,  
 " GEO. A. DRUMMOND,  
 " FREDERICK E. DOUGALL,  
 " ARTHUR L. DRUMMOND.  
 " JOHN REGINALD REDPATH,  
 " GRACE BURTON WOOD,  
 " AGNES MARY WOOD,  
 " MARGARET ELLEN ROUX,  
 " MARY BACON BRAILSFORD,  
 " JAMES D. DOUGALL,  
 " LILY DOUGALL,  
 " JANET ALICE DOUGALL,  
 " HUGH COCHRANE,  
 " DONALD COCHRANE,  
 " EDWARD T. TAYLOR,  
 " ARCHIBALD D. TAYLOR,  
 " HELEN IDA TAYLOR,  
 " ALICE JANE BRAILSFORD,  
 " ALFRED W. BRAILSFORD,  
 " ROBERT R. SIMPSON,  
 " JAMES D. MITCHELL,  
 " ROBERT MAX. DENNISTOUN,  
 " ANNIE JEAN REDPATH,  
 " ROBERT WHITELAW,  
 " ALICE MAUD REDPATH,  
 " ALICE ETHEL REDPATH,  
 " LUCY MABEL REDPATH,  
 " HELEN REDPATH,  
 " W. DE M. MARLER, N. P.

*By their Attorneys:*

C. J. FLEET,  
 J. R. DOUGALL,  
 P. MACINTOSH.

A true copy of the original hereof remaining of record in my office.

W. DE M. MARLER, N. P.

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CHAP. 167

An Act respecting the estate Anselme Labrecque

[Assented to 14th April, 1908]

**W**HEREAS, Joseph Edmond Labrecque and Joseph Preamble. Anselme Labrecque, of the city of Montreal, merchants, in their quality of testamentary executors and universal legatees of the late Anselme Labrecque, in his lifetime of the city of Montreal, gentleman, in virtue of his last will bearing date the 16th May 1904, received at the city of Montreal, before P. C. Lacasse and colleague notaries, have by their petition represented ;

That the late Anselme Labrecque, died at Montreal, on the 3rd December 1905 and that by his above mentioned will he appointed his two sons above named, his executors and universal legatees ;

That by his said will he authorized his sons, universal legatees, to sell his immovables or vacant lots which he might leave at his death, but that his other immovables should not be sold, exchanged or otherwise alienated until his youngest son should have attained the age of 40 years.

That nevertheless the said Anselme Labrecque authorized his universal legatees by his said will to hypothecate his immovables or some of them for such amount as they might consider advisable for the purpose of obtaining means to rebuild such buildings as might be destroyed or damaged by fire, in the place and stead of those destroyed in whole or in part, and at any time after his death, adding by his said will, that outside of the above prohibition, he wished in all respects that his universal legatees be absolute owners and have the right to make all other acts and even to will as they thought best ;

That among the immovables then left by his will are an immovable known as subdivision number one of cadastral number four hundred and thirty-four for St. Louis Ward, of the city of Montreal, the said immovable being numbers two hundred and eighty-five and two hundred and eighty-seven of Saint Catherine street, and another immovable known as sub-divisions twenty-seven and twenty-eight of number eleven hundred and ninety-three of the official cadastre of

St. James ward, of the city of Montreal, the said immoveable forming the corner of Ontario and St. Andrew streets, in the city of Montreal and being civic numbers, five hundred and twenty-four of St. Andrew street and four hundred and fifty-nine, four hundred and sixty-one, and four hundred and sixty-three of Ontario street East ;

That the buildings now standing on the above described immoveables are so old that they have been condemned by the building inspector, appointed for the city of Montreal ;

That the said two immoveables are situated in a locality in the city of Montreal, where buildings are of a great value and yield a considerable rent ;

That it is very advantageous and in the highest interest of the estate of the late Anselme Labrecque that the buildings now standing on the above described immoveables, should immediately be reconstructed ;

That the said Anselme Labrecque has not left in his estate any money wherewith such reconstruction could be made, and that it is necessary to contract a loan to affect such reconstruction of said buildings, and that the lenders have expressed a serious doubt as to the rights of the said testamentary executors and universal legatees to affect such loan and hypothecate therefor the immoveables of the said estate ;

That under the circumstances, it is advisable to authorize the said testamentary executors and universal legatees to affect a loan for an amount sufficient to reconstruct the said buildings and to hypothecate the immoveables of the said estate to secure said loan.

Whereas, it is expedient to grant the said prayer as contained in said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Executors,  
&c., of A. Labrecque, authorized to borrow for certain purpose, and to hypothecate, &c.

1. The testamentary executors and universal legatees above named of the said late Anselme Labrecque, are authorized to borrow such amount required to reconstruct the buildings, as they may consider advisable on the sub-division No. one, of lot number four hundred and thirty-four of the official cadastre for St. Louis ward, of the city of Montreal, and on sub-division numbers twenty-seven and twenty-eight of number eleven hundred and ninety-three of the official cadastre for St. James ward, of the city of Montreal, and to hypothecate the immoveables of the estate of the late Anselme Labrecque, as security for the said loan and to use the money then borrowed in payment of the reconstruction of the said buildings to the extent of such amount.

Coming into  
force .

2. This act shall come into force on the day of its sanction.

## C H A P . 168

## An Act respecting the substitution of Charles Leduc

*[Assented to 14th April, 1908]*

**W**HEREAS François-Xavier Leduc, farmer, of the town of Notre-Dame-de-Grâces, has by petition represented : Preamble.

That by a will made before C. A. Brault, notary, on the 14th of March, 1854, and the codicils thereto, before the same notary, on the 14th April, 1855 and 29th December, 1872, respectively, the late Charles Leduc, in his lifetime, farmer of Côteau St. Pierre, in the parish of Notre-Dame-de-Grâces, bequeathed to the petitioner, as institute, and to his children as substitutes, after their father's death, a lot of land now known as No. one hundred and fifty one of the official cadastral plan and book of reference of the parish of Montreal, which the institute may sell during his lifetime, but the price whereof must remain as a hypothec on the said immoveable until the opening of the substitution ;

That the said immoveable, in consequence of the continuous enlargement and growth of the city of Montreal and of its vicinity and above all of the extensive sale during the past two years of lands in the town of Notre-Dame-de-Grâces, is no longer fit for cultivation, while its value and the taxes imposed on it are becoming too heavy in proportion to the returns that may be obtained thereon as a farm ;

That consequently, on the 11th October last, it was sold by the petitioner to one George Marcil, real estate broker, for the sum of ninety thousand dollars, for the pupose of being subdivided into building lots, and offered for sale as such ;

That it has been subdivided and the lots are now ready to be placed on the market for sale ;

That it is impossible to do so unless an act be passed permitting the petitioner with the assistance of the curator to the substitution of Charles Leduc to receive the moneys from the sale of the substituted property and to give a valid acquittance to the purchasers without the latter being bound to see to their re-investment; provided the said petitioner with the assistance above mentioned re-invests such moneys as required by article 953a of the Civil Code ;

That one of the conditions of the sale aforesaid is that it must be ratified by the Legislature of the Province of Québec ;

That another condition of the said sale stipulates that when the plan of the subdivision of the immoveable sold shall be prepared, the vendor shall limit his hypothec on the subdivisional lots only, at the rate of five cents per superficial foot, and shall, on payment of the first nineteen thousand dol-

lars to be paid on account of the price of sale, relieve from the payment all the streets and lanes indicated on the subdivisional plan ;

That such sale is to the advantage of the substitution ;

That the curator to the said substitution and the apparent substitutes therein, who are all of the full age of majority are parties to the said sale and have ratified the terms and conditions thereof and have bound themselves with the petitioner to have the same ratified by the Legislature of the Province of Quebec, at the expense of the said substitution and that they consent to the present petition and concur therein ;

Whereas the said petitioner has proved the allegations of his petition which have been ratified by a family council whose advice has been homologated by the prothonotary of the Superior Court, at Montreal, and it is expedient to grant his prayer ;

Therefore, His Majesty with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Institute under will of Charles Leduc, may receive purchase price of property of substitution, &c.

1. François Xavier Leduc institute under the will and codicils of the late Charles Leduc may with the assistance of the curator to the substitution notwithstanding the clauses of the said will and codicils to the contrary, receive the money coming from the sale of the property substituted under the terms of the said will and codicils and give a good and valid receipt therefor to the purchasers ; but nevertheless on condition that he shall on receipt thereof deposit the same at the office of the prothonotary of the Superior Court, at Montreal in accordance with paragraph 5 of article 953a of the Civil Code of the Province of Quebec or to invest same in accordance with the same article, and any purchaser shall be discharged from the obligation of following the purchase price, from the moment it shall have been invested by the institute according to the provision of paragraphs 3 and 4 of the said article 953a or that it shall have been deposited in the hands of the prothonotary according to paragraph 5 of the same article.

Certain deed of sale confirmed.

2. The deed of sale of the property forming part of lot number one hundred and fifty one of the official plan and book of reference of the parish of Montreal made on certain conditions therein contained by François Xavier Leduc to Georges Marcil, executed before M<sup>re</sup> Ernest R. Decary, notary, on the eleventh day of October, one thousand nine hundred and seven is ratified, confirmed and declared valid and binding regarding the purchaser as well as the institutes and substitutes of the Charles Leduc substitution.

3. The expenses incurred in obtaining the passing of this act shall be paid by the said substitution, and the institute shall have the right to at once take from the moneys belonging to the said substitution, the amount necessary to pay such expenses. Cost of act to be borne by substitution.

4. The institute in the said substitution shall have the right to divide by will or otherwise the moneys derived from the sale of the said substituted property in the same manner as he might have divided the said immoveables themselves between the said substitutes under the terms of the will and of the codicils which created the said substitution. Apportionment of price of sale by institute.

5. This act shall come into force on the day of its sanction. Coming into force.

#### CHAP. 169

An Act to authorize the testamentary executors and the curator to the substitution of the succession of Dame Elisabeth Hurtubise to borrow on hypothec.

[Assented to 25th April, 1908]

**W**HEREAS Gustave Tassé, physician ; Dame Emma Tassé, Preamble.  
wife duly separated as to property by marriage contract of the Honourable Guillaume Alphonse Nantel, advocate, and the latter for the purpose of authorizing his said wife, all of Montreal, in their capacity of testamentary executors of the late Dame Elisabeth Hurtubise, widow of the late Gilbert Tassé, and Emmanuel Persillier Lachapelle, physician, of the same place, in his capacity of curator to the substitution created by the will of the latter, have, by their petition, represented :

That Dame Elisabeth Hurtubise, by her solemn will bequeathed the enjoyment and usufruct of all her moveable and immovable property, with the exception of some particular legacies, to her four children: Joseph, Gustave, Dame Emma Tassé and Rosalba Tassé, widow of Arthur Beaulieu, to be equally enjoyed by them until their respective deaths, with accretion to the survivors thereof in the said usufruct, if the first who should die, should so die without children, and in the contrary case, such children shall enjoy the share of their deceased father or mother until the partition of the property, which partition shall be effected, as to full ownership at the death of the last survivor of her children, among all her grandchildren by heads amongst themselves but by representation in the event of any of the grandchildren dying leaving issue ;

That the said Gustave Tassé and his sister, Mrs. Nantel, were appointed testamentary executors beyond the year and a day with a remuneration of five per cent in favor of the said Gustave Tassé for the administration of the immoveables so long as they are not sold, but they have the right to sell the same without judicial formality and without the concurrence of the heirs and by reinvesting the proceeds of such sales according to the rules governing trusts, without the purchaser being obliged to see to such reinvestment ;

That the chief assets of the estate of the said Dame Elisabeth Hurtubise consist of an immoveable situated on Phillips Square, in the city of Montreal, bearing the number eleven hundred and seventy of the official plan and book of reference of St. Antoine ward of the city, with buildings thereon erected and occupied as shops and dwellings ;

That the land has acquired considerable value since the death of the deceased and it will be absolutely necessary in order to utilize and rent the said immoveables to advantage, to make considerable changes, additions and improvements therein, consisting of wings in rear, the addition of at least one story and the transformation of the dwellings into shops, and that such work will cost at least sixteen thousand dollars, but the estate is already indebted to the amount of fourteen thousand dollars for a mortgage contracted on the said immoveable by the testatrix before death, and the estate has no money available for making such changes and improvements ;

That it is in the interest both of the institutes and of the substitutes to effect a new loan of sixteen thousand dollars or a single one of thirty thousand dollars by consolidating it with the first one and that such loan be guaranteed by means of a hypothec on the said immoveable or upon those that may replace it in the event of its being sold and the re-investment be effected by the purchase of other immoveables ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Certain ex-  
ecutors, &c.,  
authorized  
to borrow for  
certain pur-  
poses.

1. The said testamentary executors or their successors in office legally appointed are authorized to borrow the sum of sixteen thousand dollars, over and above that of fourteen thousand dollars already due, or to effect a single loan of thirty thousand dollars by paying off the fourteen thousand dollars already due upon such loan, and pay an annual interest of not more than six per cent and to renew such loan at any time until the opening of the substitution if they deem proper, with hypothecary security in favor of the lender or lenders on the said immoveable, number eleven hundred and seventy of the official plan and book of reference of St. Antoine ward in the city of Montreal, or upon all other immoveables which may be pur-



chased to replace the same, in the event of its being sold by the said testamentary executors and even on all others that may become the property of the said estate and which may have been purchased out of the proceeds of the sale of the said immoveables.

2. Such loan shall be consented to by the testamentary executors and the curator to the said substitution, and shall bind the institutes and substitutes in the said substitution, but between the institutes and the substitutes the capital shall be payable by the substitutes and the interest by the institutes.

3. The testamentary executors shall be bound to use the borrowed money in effecting changes and improvements to the said property, but the lender or lenders shall not be bound to see to the employment of the money.

4. The testamentary executors shall, out of the funds of the said estate, pay all costs, disbursements and advocates' fees incurred for the passing of this act.

5. This act shall come into force on the day of its sanction.

## CHAP. 170

An Act to authorize Francis Monette to sell certain substituted property.

[Assented to 25th April, 1908]

**W**HEREAS Reverend Joseph Placide Desrosiers, parish priest of the parish of St. Pierre-aux-Liens; Francis Monette, physician; Pierre Desforbes, contractor, both of the city and district of Montreal, and Pascal Lemieux, of the parish of Notre-Dame de Grâces, in the said district, have, by their petition, represented that by will passed before M<sup>re</sup> Schetagne, on the 21st January 1902, the late Jeremie Monette gave to François Monette (called in the will Pierre *alias* Pit) the enjoyment and usufruct of a lot of land containing twenty-five arpents, forming part of lot number one hundred and thirty of the official plan and book of reference of the municipality of the parish of Montreal, and that he substituted his children to be born in legitimate marriage;

That it is in the interest of the parish of St. Pierre-aux-Liens and of the said substitution that their said land should be sold;

Whereas the curator to the said substitution has approved of the passing of this act and that a family council has advised it and their advice has been homologated by the prothonotary of the Superior Court, at Montreal, and that it is expedient to authorize the sale of said immoveable;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

**F. Monette**  
authorized  
to sell certain  
property.

1. The said Francis Monette, institute under the terms of the will of the late Jeremie Monette, may, with the assistance of the curator to the substitution, sell, wholly or in part, subject to the rights of the Reverend Abbé Daignault, mentioned in the said will, for cash or on instalments, that part of lot number one hundred and thirty of the official plan and book of reference for the municipality of the parish of Montreal, which was bequeathed to him as institute under the said will, receive the money coming from such sale or sales and give good acquittances to the purchaser or purchasers, but nevertheless he shall upon receipt of such money deposit the same in trust in accordance with paragraph 5 of article 953a of the Civil Code of the Province of Quebec, or shall invest the same in accordance with the provisions of article 953a of the said Civil Code, and any purchaser shall be free of the obligation of seeing to such investment from the moment that it has been made in conformity with the provisions of paragraphs 3 and 4 of the said article 953a or that it has been deposited in the hands of the prothonotary of the Superior Court, at Montreal, in conformity with paragraph 5 of the same article.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 171

An Act respecting a gift *inter vivos*, dated the 25th February, 1892, in favor of Joseph Menard and others by Joseph Maxwell and relieving the donees from the prohibition to alienate.

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS, Joseph Menard, Dorimaine Maxwell his wife, and Joseph Octave Lionel Ménard, their son of age, all three of the parish of St. Gabriel de Brandon, in the district of Joliette, have by their petition represented : that they are the donees of a lot of land situated in the township of Brandon,

bearing the number 355 on the official plan and book of reference of the parish of St. Gabriel de Brandon ; that the deed of gift by Joseph Maxwell, in his life-time, farmer, of the parish of Saint Damien, then of the district of Richelieu, was passed on the 25th February, 1892, and registered on the 29th of February of the same year, in the registry office of the county of Berthier ;

Whereas the donees, Joseph Ménard and Dorimaine Maxwell his said wife, the donees both as regards the enjoyment and usufruct, and Joseph Octave Lionel Ménard, their son, the donee as to ownership, consent to sell and hypothecate or otherwise alienate the said lands to them given ;

Whereas they derive no benefit from the said lot and they even wish to leave that part of the Province to go and settle in a place where they can better ply their trade as plasterers ;

Whereas, they have also prayed for the passing of an act to relieve them, the donees, from the prohibition to alienate contained in the aforesaid deed, in order to give the purchaser or any other assignee of the said lot every possible warranty against eviction ; and

Whereas, it is expedient to grant the prayer contained in the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Notwithstanding the prohibition to alienate contained in the deed of gift *inter vivos*, dated the 25th of February, 1892, and duly registered on the 29th February of the same year, by Joseph Maxwell in favor of Joseph Ménard, Dorimaine Maxwell and Joseph Octave Lionel Ménard, their son, as stated in the schedule to this act, the donees therein mentioned are authorized to sell, hypothecate or otherwise dispose of the land therein described and to give good and valid titles to the purchaser.

Alienation,  
&c., of cer-  
tain land  
permitted.

2. This act shall come into force on the day of its sanction.

Coming into  
force.

## SCHEDULE

On the twenty-fifth day of the month of February in the year eighteen hundred and ninety-two

Before MR. HECTOR CHAMPAGNE, the undersigned notary public for the Province of Quebec, residing in the parish of Saint Gabriel de Brandon, in the district of Richelieu.

## CAME AND APPEARED :

MR. JOSEPH MAXWELL, farmer, of the parish of Saint Damien in the said district.

Who, by these presents, doth give, convey and make over by gift *inter vivos* and irrevocably to Joseph Ménard and Dorimaine Maxwell, his son-in-law and daughter, now residing in the United States, the enjoyment and usufruct, during their lives, and during the lifetime of the survivor of them, and to Joseph Octave Lionel Ménard, minor child of the said Joseph Ménard and Dorimaine Maxwell, the ownership from now and for ever and the enjoyment and usufruct, on the death of the survivor, of his father and mother and for ever, the following immovable, to wit :

A lot of land situate and being in the said parish of St. Gabriel de Brandon, in the second range of the township of Brandon, containing two arpents in width by twenty-five arpents in depth, more or less ; bounded in front by the first range ; in rear by the third range of the said township ; on one side by Henri Martineau ; on the other side by Elisée Bellerose, with the buildings thereon erected, and moreover the right of way over the adjoining lot belonging to Elisée Bellerose to communicate from one part thereof to the other, which lot hereby given is known and designated under the number three hundred and fifty-five of the official plan and book of reference of the said parish.

As the whole now is, circumstances and dependencies.

The said donees to enjoy the said lot of land in usufruct during their life-time, without being able to sell, hypothecate or otherwise alienate the said usufruct which shall be inalienable and not be liable to seizure ; and the said donee Joseph Octave Lionel Ménard, to enjoy the said lot at the time above specified and to dispose of the same, but only after he has entered upon the enjoyment thereof.

The said gift is accepted by the said Joseph Ménard and Dorimaine Maxwell therein represented by the said Dorimaine Maxwell now here present and such acceptance is made both as to what is given to them and as to what is given to the said Joseph Octave Lionel Ménard, their minor child.

Subject to the obligation upon the said donees in usufruct to perform the public and *mitoyen* works, and to pay the taxes and assessments to which the said lot may be subject, to effect the necessary repairs and those required by law to the building erected on the said lot.

Whereof acte ; done and passed in the said parish of St. Damien under the number three thousand two hundred and fifty of the repertory of the undersigned notary. And after

the same was duly read, the said Joseph Maxwell having declared that he could not sign his name on being thereunto required by the said notary, he made his mark of a cross and the said Dorimaine Maxwell signed ; the whole in the presence of the said notary, who also signed.

his  
(Signed) JOSEPH x MAXWELL,  
mark  
" DORIMAINE MAXWELL,  
" HECTOR CHAMPAGNE. N. P.

True copy of the original hereof remaining of record in the office of the undersigned notary.

HECTOR CHAMPAGNE, N. P.

## C H A P . 172

An Act to authorize the Bar of the Province of Quebec to admit Louis Philippe Girard amongst its members, after examination

[Assented to 14th April, 1908]

**W**HEREAS Louis Philippe Girard has by petition represented : Preamble.

That he has followed a course of classical studies at the seminary of Chicoutimi, as far as rhetoric inclusively, and concluded the same at the seminary of Quebec ;

That he has obtained his degree of Bachelor of Letters, in June 1906 after having matriculated in science in June, 1905 ;

That on the 17th September 1905, he entered Laval University to follow the law course and will follow the same until June 1908 ;

That since he entered Laval University, he has always passed successful examinations ;

That on the first of September 1905, he was indentured to Messrs Fiset & Grenier, advocates, of the city of Quebec, which said indenture was transferred to Mr. Louis Philippe Grenier, when the partnership of Fiset & Grenier was dissolved, and afterwards to Messrs Gagné & Gagné, advocates of the city of Quebec ;

That since the 15th of September, 1905, he has regularly attended the offices above mentioned and the courts ;

That he wishes to present himself at the examination for admission to the practice of law in the month of July 1908 ; at which time he will have attended an advocate's office for a period of three years and will have followed the courses at Laval University for three years ;

That, as he obtained his degree of Bachelor of Letters in June 1906, and consequently was admitted to study law only on the said date, he would be unable to present himself for examination for admission to the practice of law until July 1909 ;

That on the 14th of December 1907, he applied to the General Council of the Bar of the Province of Quebec for authorization to present the present Act to the Legislature :

That the said General Council of the Bar of this Province, has authorized the presenting of a Bill for the above purposes ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Bar of P. Q.  
authorized  
to admit L.  
P. Girard,  
after ex-  
amination,  
&c.

1. Louis Philippe Girard is authorized after having obtained a degree in law, in conformity with article 3552 of the Revised Statutes, to present himself at the law examination to be held in July, 1908, or at any subsequent examination, and the Bar of the Province of Quebec is authorized to admit him amongst its members after he shall have undergone a final examination ; and the said Louis Philippe Girard is and shall in virtue of this act be considered as having been indentured and as having been admitted to the study of law in July, 1906 after having passed all the examinations required by law to all intents and purposes.

Coming into  
force.

2. This act shall come into force on the day of its sanction.

## CHAP. 173

An Act to authorize the College of Physicians and Surgeons of the Province of Quebec, to admit Joseph Arthur Octave Bourret to the practice of medicine, surgery and obstetrics

[Assented to 14th April, 1908]

Preamble.

**W**HEREAS, Joseph Arthur Octave Bourret, heretofore of the parish of Charlesbourg, in the county of Quebec, now residing in the parish of St. Sauveur de Québec, has by his petition represented :

That he has obtained from the School of Medicine and

Surgery of Laval University, Quebec, the degree of Doctor of Medecine after having followed the regular course of the said school during the time required by law;

That he began to follow the said course of the said school before obtaining his certificate of admission to study medicine;

That he has since obtained from the Quebec Seminary, after passing the required examination, the title of Bachelor of Letters and has been duly admitted to the study of medicine by the College of Physicians and Surgeons of the Province of Quebec;

That he is qualified to practise medicine, surgery and obstetrics;

That he is unable to receive his license to practise medicine, surgery and obstetrics without having completed four years as clerk in medicine;

That such a delay would cause him great damage ;

That he has obtained from the College of Physicians and Surgeons of the Province of Quebec the consent to the passing of an act to authorize said College to grant him a license to practise his profession ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The College of Physicians and Surgeons of the Province of Quebec, is hereby authorized to admit the said Joseph Arthur Octave Bourret, amongst its members, and to grant him the necessary license to practise medicine, surgery and obstetrics in this Province.

Physicians,  
and Surgeons  
of P. Q.,  
authorized to  
admit J. A.  
O. Bourret.

2. This act shall come into force on the day of its sanction.

Coming into  
force.





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